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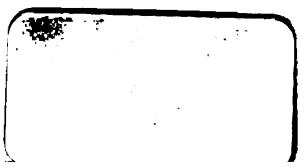
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THE

JURIST.

VOL. XIII.—PART II.

CONTAINING

ORIGINAL ARTICLES ON LEGAL SUBJECTS,

ALL IMPORTANT STATUTES,

THE RULES AND ORDERS OF THE VARIOUS COURTS,

THE GAZETTES, CAUSE LISTS,

AND MISCELLANEOUS LEGAL INFORMATION,

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LONDON, JANUARY 13, 1849.

There are some rules of practice, both at law and in equity, so contrary to modern reason, that no one can conceive how they ever came to be rules, and that the Courts are continually compelled to make fine distinctions in order to elude the rule as far as possible. Of this character is the rule of Courts of Equity, that, on an interlocutory proceeding, such as a motion for a receiver, or an injunction, or to compel the defendant to pay money into court, the title must be wholly taken from the answer; and that not only can no affidavits be read *against* the answer, but that they cannot even be read to substantiate facts ignored by the answer, if directly or indirectly they affect the title.

We have more than once heard judges, in administering this rule, apparently simple, but complicated in its application, wonder how it ever came to be the rule; and Lord Eldon, who, great judge as he was, delighted in a legal absurdity, if it was but refined enough, and inconsistent enough with substantial justice, put the absurdity of the rule in its most glaring light when he refused to revive an injunction which had been dissolved upon the answer, though the grand jury had found a true bill on an indictment for perjury on that very answer. For, said his Lordship, "the grand jury may have believed, and in most cases must have believed, those very persons upon their oaths for that purpose, whose depositions this Court would not permit to be read for the purpose of discrediting the answer." (*Clapham* v. *White*, 8 Ves. 35).

So that the rule of practice is, that the defendant's answer is of such conclusive credibility, that nothing can be allowed to be heard but it, even though you have the strongest evidence that it is false. Whether the rule originally took its rise from this, that as in equity you have a right to ransack the defendant's conscience, so as a set-off you shall believe what the defendant says until the cause is at issue, and that, as a consequence, all counter-evidence would be useless, because it could not be believed; or whether the rule took its rise from some imagined difference between the solemnity of swearing an answer and that of swearing an affidavit, it is now difficult, nay impossible, to ascertain. Why the rule should still be retained, when it is execrated by judges, and serves at this day no purpose but to entangle and complicate interlocutory applications, it is as difficult to understand. A defendant's answer is evidence, nothing more. It is the deliberate assertion on oath of a person entitled to credit, unless he be discredited. So is an affidavit. Affidavits are admitted as to matters of fact; why should they not be as to matters of title? Suppose a cestui que trust files a bill for the appointment of new trustees, and for a receiver, and the trustee admits the plaintiff's title, but denies the misconduct: an affidavit may be read against the answer as to the misconduct; but if the trustee denies the identity of the plaintiff, or the execution of the instrument under which he claims, then an affidavit cannot be read against the answer. What possible rational ground can be assigned for this distinction? If it be said, that, by receiving and believing affidavits on the question of title, the Court might be, in fact, wrongfully ejecting the defendant, the answer is, so it might by hearing affidavits as to acts of misconduct. If a man is wrongfully turned out of possession, it cannot matter to him whether it is because the Court wrongfully believes he never had title to be in, or because it wrongfully believes that he has so behaved that he must be turned

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out. After all, what is title but matter of fact? And is not the whole distinction between matter of title and matter of fact a mere delusion? If I allege that I am entitled in fee-simple, the foundation of my title must be a deed or instrument, or act of some kind by which the estate has become vested in me: in other words, my title rests upon some act having been done in reference to a particular individual; so that allegation of title resolves itself into allegation of the fact, that a settlement has been executed, or a will made, or some other thing done, and of the fact that I am the person designated in the instrument, or contemplated in reference to the thing done. How do these facts differ from the fact, that a spade has been inserted into meadow, converting it into pasture, or the fact, that young trees have been grubbed up? If we take the cases where the affidavits are not allowed to be read, because a fact denied or ignored affects the question of title, as in *Edwards* v. *Jones* (1 Phil. 501) and *Sherriff* v. *Barnard*, (8 Sim. 161), the distinction between matter of fact and matter of title becomes so ludicrously thin as to be scarcely appreciable. That, in such cases in particular, gross injustice may be done by the rule, is clear. Take such a case as *Sherriff* v. *Barnard*, where the question was, whether certain constructions were landlord's or tenant's fixtures; consequently, the question was as to title; and the disputed fact was, whether sheds were or were not let into the soil. Now, on this fact being stated in one way by the answer, there can be no doubt, that, according to the practice of the Court, though 500 affidavits were filed, (to use Lord Eldon's expression in *Clapham* v. *White*), the Court could not look at them, but must give credit to the answer. So that, in a case where, on a very simple question, really and purely of fact, as much so as the question whether A. beat B., where, if any given number of respectable witnesses deposed against the answer, there could be no doubt in the mind of the *man* that the defendant ought to be forthwith restrained, the mind of the *judge* would be compelled to refuse all interference till the hearing; that is, would be compelled to give to a defendant, believed to be bad enough to swear falsely or evasively, abundant time to do that very mischief which the plaintiff comes to the court to prevent, by interlocutory proceeding, because, if once done, it cannot be remedied.

As to any notion that an answer is a more solemn thing than an affidavit, we are not aware that there is even any such legal fiction; but if there is, it is a pure fiction, one form of evidence being just as solemn as another, both being upon oath.

The rule is, in fact, purely technical—purely entangling and mischievous, and totally without any respectable paternity. Far better would it be, in our humble apprehension, if, on interlocutory applications, the answer were, in all cases and for all purposes, treated merely as an affidavit, leaving the evidence on both sides subject only to the ordinary rules of evidence as to admissibility. This will some day be the rule of the court, but not till the surpassing irrationality of the present rule shall have produced some very glaring and monstrous mischief.

TRUSTEE AND CESTUI QUE TRUST—STATUTE OF LIMITATIONS.

The point involved in the case of *Doe* d. *Jacobs* v. *Phillips*, (11 Jur. 692: 16 Law Journ., Q. B., 269; 10 Q. B. Rep. 130), which we discussed at some length in a former article, (ante, vol. 11, part 2, p. 310), has not, we believe, yet received any further illustration from the Bench—a case in the Queen's Bench, in which it was raised, having gone off upon another point; and a case in the Common Pleas, in which an adjudication on the point will probably be required, being still pending. But as the point is, to conveyancers, one of the most important that can arise upon the Statute of Limitations, and as the accuracy of our account of the case of *Doe* v. *Phillips* has been called in question by Messrs. Keating and Willes, in a passage which we cannot help thinking forms an exception to the general soundness of their notes to the late Mr. Smith's "Leading Cases," we make no apology for recurring to the subject. Messrs. Keating and Willes give the following account of the case of *Doe* d. *Jacobs* v. *Phillips*:—

"There has been a recent case in the Queen's Bench (*Doe* d. *Jacobs* v. *Phillips*, 12th February, 1847, 16 Law Journ. 269) upon the subject here discussed, which has excited a great deal of attention, and been thought by some to have decided, that the possession of the cestui que trust for twenty years, without acknowledgment, will bar the right of the trustee under the 2nd and 3rd sections of the statute. It is, however, submitted, that the decision, when examined, does not involve that proposition. The facts of the case are thus stated in the report:—'The lessor of the plaintiff claimed the premises, which were the subject of the action, under limited letters of administration granted to him by the Archbishop of Canterbury, on the 14th of August, 1843, of the goods, chattels, and effects of one Holyhead, deceased, to whom a satisfied term of 500 years in the premises in question had been assigned, by an indenture, dated the 7th day of October, 1767, upon trust to attend the inheritance, the beneficial interest being vested in certain minors, on whose behalf the lessor of the plaintiff brought the action.' It was held, he could not recover. Now, it will be observed, it is not stated that the cestui que trust was the *party in possession*; and the statement that the action was brought on behalf of the persons beneficially interested would rather seem to shew the contrary. The argument, however, all through the case seems to have proceeded on the assumption that the possession was that of the cestui que trust, as the effect of a tenancy at will and its determination formed the chief subject of contest, which could scarcely have been in question if any other than the cestui que trust had been in possession; but even assuming this to have been so, still it was conceded on all sides that there had been no demand of possession. And taking the interlocutory observations of the judges during the argument, together with their more formal judgments, the view taken by the Court seems to have been, either that no tenancy at will had ever existed under the circumstances, in which case sects. 2 and 3 of the statute would be a bar, or, if a tenancy at will was created, it had not been determined,—the bringing of the action alone,

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without a previous demand of possession, not being sufficient for that purpose: thus rather fortifying than impugning the suggestions made on this subject in the present note. Whether the facts of the case really placed the lessor of the plaintiff in the dilemma suggested, or whether the death of Holyhead, the original trustee, would have changed the tenancy at will into a tenancy at sufferance, and so have dispensed with the necessity of a demand of possession, or whether sect. 6 of the statute would have affected the case, and how far, were questions which it was not necessary for the court to discuss, as it seems to have been assumed in the case that there had been no determination of the tenancy at will, except by bringing the action, and upon that assumption the decision was grounded. 'If, on the other hand,' said Lord Denman, C. J., 'you make the defendants tenants at will to the lessor of the plaintiff, there has been no demand of possession, and so no right is shewn to recover.' And Mr. Justice Patteson observed, 'If bringing an action now is enough to enable the lessor of the plaintiff to recover, I cannot see why he might not have done so at any time since the assignment in 1767.' 'As soon as it is conceded,' said Mr. Justice Coleridge, 'that the termor has a right to recover without any proceedings preliminary to bringing the action, we must look to see what effect sections 2 and 3 have upon that right; and I clearly think the effect is to bar it.' Whilst, therefore, there are passages in the judgments of the learned judges in the above case which render it questionable whether they considered the case of trustee and cestui que trust to be excluded from the operation of sections 2 and 3 of the statute, yet it is submitted, that the Court never intended to decide, nor in fact decided, that the possession of the cestui que trust for twenty years will bar the right of the trustee." (Vol. 2, p. 411, n. (*a*)).

Now, these observations, we submit, do nothing more than reflect the confusion in which the Court of Queen's Bench left the case of *Doe* v. *Phillips*. The report of the case in the Law Journal is meagre and defective in many particulars, and the learned annotators have not cited the fuller and more accurate report in THE JURIST, a reference to which would, probably, have given them a clearer notion of the point which was really discussed and intended to be decided in that case (and see the short but accurate report in 10 Q. B. Rep. 130). But even the report in the Law Journal (with reference to which alone our former observations were written) will not, we submit, bear the interpretation which Messrs. Keating and Willes have put upon it. It is there stated that the lessor of the plaintiff claimed the premises by virtue of a term of years created in 1767, and attendant upon the inheritance, the beneficial interest being vested in certain minors, in *whose behalf* the lessor of the plaintiff brought the action. The lessor therefore rested his case on this, that he was trustee for some other person than the persons who were in possession when the action was brought; and the only topics of defence taken notice of by the Court were, the want of a demand of possession before bringing the action, and the effect of the Statute of Limitations. Now, the only ground for requiring a prior demand of possession must have been, that the *defendants* were tenants at will of the plaintiff; but the plaintiff's case, as stated in the report, was, that he was suing on behalf of his cestuis que trust, who were, therefore, out of possession; whence it must be inferred, that the defendants were not in possession as cestuis que trust under the lessor of the plaintiff; and, consequently, were not tenants at his will, but trespassers, and so were not entitled to any demand of possession. The suggestion, therefore, by the Court, that a demand of possession might have been necessary, was not supported by the facts of the case; and their judgment must be taken to have been a decision upon the single point on which the rule to enter a nonsuit was granted, and which was the only question to which any prominence was given in the argument—namely, as to the effect of the Statute of Limitations. Now, the defence founded on the Statute of Limitations could not have been, that both the trustee and the cestuis que trust had been dispossessed more than twenty years before the commencement of the action, because against such a defence, supported by evidence, no argument could have been raised; but the defence must have been founded on this, that, though the cestuis que trust had been in possession within twenty years, the trustee himself had not—a defence necessarily involving the point which we originally represented to have been the point discussed and decided in that case. The observation of Coleridge, J., that, "as soon as it was conceded that the termor had a right to recover without any proceedings preliminary to bringing the action, the case was to be decided by reference to the 2nd and 3rd sections only," shews, not that the effect of the saving in sect. 7 did not come into question, but that the Court mistook the scope and effect of that saving, which is capable of operation, as well in cases where a prior demand is necessary, as in cases where such demand is not necessary; the effect of that saving being, as we contend, to preserve the implied tenancy of a cestui que trust at the will of his trustee from extinction by the general enactment in sect. 7; so that, if the cestui que trust has not been dispossessed for twenty years, the trustee, though he may have been out of possession for more than twenty years, can sustain an ejectment against the person in possession, having first demanded possession if the defendant is the cestui que trust, or without having demanded possession if the defendant is a mere intruder.

The report in the Law Journal states, that the ejectment was for undivided shares of gavelkind property in Kent, from which it is to be conjectured, that the defendants were cestuis que trust of other shares not claimed in the action, and hence probably the confusion on which we have been commenting arose. But, as to the shares claimed by the persons on whose behalf the action was brought, the defendants were strangers and trespassers. (See 3 & 4 Will. 4, c. 27, s. 12, as to possession by coparceners, tenants in common, &c.) The report in THE JURIST makes this clear. From that report, it appears, that, in 1766, the entirety of the estate was purchased by Stephen Hubbard, and the term assigned to a trustee for him. Stephen Hubbard devised the estate to his niece, Elizabeth Trigg, for life, with remainder to her children. The niece had issue nine children, three of whom died in infancy, including John Brown, who left two children, on whose behalf the action was brought against the sisters and the husbands of the sisters of John Brown. The report in THE JURIST attributes the following expressions to Patteson, J., which clearly shew, that the question was as we have represented it:—"If there was a tenancy at will, it began more than twenty years ago; and the 7th section says, that the tenancy shall be deemed to have determined at the end of the first year after the commencement of the tenancy." It appears from the report, that Elizabeth Trigg married in 1801, and had nine children. The action was brought in 1844; so that it is possible, that neither the termor nor the cestuis que trust had been in possession within twenty years; but if so, the question of tenancy at will could never have been raised.

MASTER IN CHANCERY.—The Lord Chancellor has appointed George Moore Smith, Gent., of Whittlesey, Cambridgeshire, to be a Master Extraordinary in the high Court of Chancery.

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Court Papers.

EQUITY CAUSE LISTS, HILARY TERM, 12 Vict. 1849.

*** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Re-hearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the Lord Chancellor.

Appeals.

Hodgkinson *v.* Hodgkinson } (Ap) *S O*
Same *v.* Jackson
Allfrey *v.* Allfrey (Ap)
Stewart *v.* Forbes (Ap, Ptn)
Davis *v.* Chanter (9 causes, Ap)
Cochrane *v.* Cochrane } (Ap)
Lord *v.* Colvin } *S O*
Attorney-Gen. *v.* Wilson (Ap)
The Mayor, &c. Rochester *v.* Lee (Ap, M) *To fix a day*
Fyson *v.* Pole (Ap)
Davis *v.* Kingsford (Ap)
Lord Brooke *v.* Earl of Warwick (Ap)
Battershall *v.* Bishop of Winchester } (Ap)
Follett *v.* Same
Battershall *v.* Same
Penny *v.* Watts (Ap)

Before the Vice-Chancellor of England.

Pleas, Demurrers, Causes, Exceptions, and Further Directions.

Dobson *v.* Lyall (F D, part heard)
Robinson *v.* Sollory
Ashburner *v.* Wilson (F D, C) *S O*
Dunston *v.* Dunston (3 causes, F D) *S O*
Boycott *v.* Morse (2 causes) *Jan.* 25
Digby *v.* Boycott (3 causes) *Jan.* 25
Marshall *v.* Carter *S O*
Edge *v.* Duke (2 causes) *S O*
Bodington *v.* The Gt. Western Railway Co.
Gregory *v.* Wilson *S O*
Willis *v.* Jones (F D, C)
Myers *v.* Perigal (F D, C) *S O*
Coleman *v.* Mellersh
Robinson *v.* Williams
Thornton *v.* Knight
Dykes *v.* Taylor (E)
Drever *v.* Maudsley (7 causes, F D)
Simkins *v.* Webb
Smith *v.* Pincombe (2 causes)
Glover (otherwise Gordon) *v.* Hall
Chipchase *v.* Simpson
Elkington *v.* Aplen (2 causes)
Holloway *v.* Collier
Chambre *v.* Flight
Walter *v.* Corpe
Duff *v.* Chester
Worsley *v.* Woodford
Boothby *v.* Boothby
Onslow *v.* Wallis
Tomlinson *v.* Troughton } (F D, C)
Haydock *v.* Tomlinson }
Jones *v.* Francis (F D, C)
Moorley *v.* Smith
Miller *v.* Priddon
Attorney-Gen. *v.* Finch (2 causes)
Surtees *v.* Hopkinson (F D, C)
James *v.* Jones
Alt *v.* Gregory *S O G*
Dudley *v.* Burrage
Field *v.* Jennings
Watts *v.* Symes (2 causes)
Marks *v.* Solomons (F D, C)
Baxter *v.* Abbott (3 causes, F D, C)
Banner *v.* Strachan (F D)
Same *v.* Same (Cause)
Baker *v.* Salmon *Jan.* 11
Shelton *v.* Watson (F D, C)
Rowland *v.* Witherden
Earl of Balcarras *v.* Hudson
Ligoure *v.* Marryatt (F D, C)
Wiseman *v.* Barratt (F D, C)
Worthington *v.* Morgan
Coleman *v.* Fielder
Rowe *v.* Leyland
Palmer *v.* Goren
Dixon *v.* Wilkinson
Morisson *v.* Moxon
Aked *v.* Aked (F D, C)
Briggs *v.* Deveroux } *S O*
Same *v.* Brenton
Same *v.* Stansfeld
Barker *v.* Wylde (3 causes, F D, C)
Daintree *v.* Day
Preece *v.* France
Woodhams *v.* Woodhams (3 causes, F D, C)
Elsam *v.* Hall (F D, C)
Hutton *v.* Hayley
Whitchurch *v.* Whitchurch } (F D, C)
Same *v.* Parrott

Before Vice-Chancellor Knight Bruce.

Causes, Further Directions, and Exceptions.

Gregson *v.* East Anglian Railway Co. (D)
Yetts *v.* Norfolk Railway Co. (2 Ds)
Weighman *v.* Powell *S O*
Kent *v.* Underhill } *S O*
Capper *v.* Same
Attorney-Gen. *v.* Harvey (F D, C)
Stephens *v.* Richards
Stanley *v.* Bulkeley
Wilkinson *v.* Candlish
Milne *v.* Baldwin } *S O*
Same *v.* Green
Stronger *v.* Hawkes } *S O*
Hawkes *v.* Hawkes
Paterson *v.* Mills *S O*
Alexander *v.* Bushby (F D, Ptn, part heard)
Dawson *v.* Robinson
Cowan *v.* Hymers
Aglionby *v.* James (F D) *S O G*
Dixon *v.* Linn (3 causes, F D)
Cutts *v.* Riddell *S O*
Hughes *v.* Scarborough
Gardom *v.* Williams
Ackers *v.* Williams
Foligno *v.* Goldner
Barraclough *v.* Hull
Nunn *v.* Truscott
Sharp *v.* Giblett
Fowell *v.* Dodson (2 causes)
Howard *v.* Carr
Browne *v.* Milne (F D, C)
Brown *v.* Mundy
Morehouse *v.* Newton (E, F D)
Savery *v.* Savery
Same *v.* Same
Harward *v.* Gainer
Lee *v.* Delane
Rees *v.* Chilton
Harris *v.* Hamlyn
Trelawny *v.* Mostyn
Mortimer *v.* Hartley (F D, C)
Robertson *v.* Makeham
Vicq *v.* Le Bailly (F D, C)
Cowell *v.* Watts
Twyford *v.* Massey
Penrice *v.* Penrice (F D, C)
Wynne *v.* Price
Steele *v.* Parsons (F D, C)
Galloway *v.* Ridley
Clark *v.* Cook (E)
Humpfrey *v.* Gery (F D, C)
Griffith *v.* Parr *Sh*
Middleton *v.* Youden
Dunn Gardner *v.* Dunn Gardner (4 causes, F D, C)
Nisbitt *v.* Fisher
Watts *v.* Cowell
Howard *v.* Howard
Brander *v.* Bull
Hulbert *v.* Hulbert
Billing *v.* Webb (F D, C)
Howkins *v.* Jackson
Andrew *v.* Andrew (E, 2 sets)
Daniel *v.* Daniel (E)

Before Vice-Chancellor Wigram.

Causes, Further Directions, and Exceptions.

Chandler *v.* Corke *Last day of Trinity Term*
Nesfield *v.* White *Trin. Term*
Morgan *v.* Bosvile
Butler *v.* M'Kenzie
Same *v.* Same
Green *v.* Green
Martinez *v.* Winstanley
Bull *v.* Bengough *Jan.* 20
Inge *v.* Kenney (7 causes, F D, part heard)
Nash *v.* Ridge *Jan.* 15
Holland *v.* Lushington (F D, C)
Chant *v.* Brown (E)
Same *v.* Same (E)
White *v.* Godmond (F D, C)
Evans *v.* Protheroe } (F D, C)
Same *v.* Same
Fyler *v.* Morris } (F D, C)
Same *v.* Judge
Jackson *v.* Milfield (F D, C)
Lander *v.* Ingersoll (F D, C)
Senior *v.* Dickenson } (F D, C)
Same *v.* Hope
Chambers *v.* Artis } (F D, C)
Same *v.* Same

Rolls Court.

Judgments reserved.

Smith *v.* Earl of Effingham (As to costs)
Norfolk Railway Co. *v.* Wodehouse (Cause)

Pleas and Demurrers.

Dean of Ely *v.* Gayford (6 Pls) *S O*
Lewis *v.* Baldwin (On deft.'s objection for want of parties) *S O until hearing*
Mitchell *v.* Kœcher (D)

Causes.

Churchman *v.* Capon } (F D,
Churchman *v.* Capon } C, pt. heard Easter Term)
Stourton *v.* Jerningham *To present petition*
Hooper *v.* Denoon
Williamson *v.* Gordon
Hemming *v.* Archer } (F D, C, pt. hd.) *S O till Ptn. of Re-hearing disposed of*
Hemming *v.* Archer
Hemming *v.* Archer
Hemming *v.* Archer
Raworth *v.* Archer
Hooper *v.* Salman } (Part heard)
Tugwell *v.* Hooper
M'Michael *v.* Kipling (E, Ptn)
Hemming *v.* Archer } (Re-h., part heard Easter Term)
Hemming *v.* Archer
Hemming *v.* Archer
Hemming *v.* Archer
Raworth *v.* Archer
Gas Light and Coke Co. *v.* Symonds } (F D, C)
Symonds *v.* Gas Light and Coke Co.
Stillman *v.* Gas Light and Coke Co.
Christy *v.* Courtenay *After T.*
Baynton *v.* Hooper } *S O to amend*
Baynton *v.* Hooper
Wilson *v.* Eden (F D, C) *S O*
Bennett *v.* Cooper (F D, C)
Biggs *v.* Naylor *After Term*
Fox *v.* Roberts } *After Term*
Fox *v.* Roberts
Att.-Gen. *v.* Brook (Re-hear.) *Easter Term*
Smith *v.* Oliver } (F D, C)
Smith *v.* Oliver
Johnson *v.* Thomas

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Sanderson *v.* The Cockermouth and Wokington Railway Co.
Dibbs *v.* Goren } (F D, C)
Dibbs *v.* Dibbs }
Rouse *v.* Rouse (F D, C, Ptn)
Wood *v.* Wood (E) }
Wood *v.* Wood (F D, C) }
Brandling *v.* Humble }
Brandling *v.* Humble } (F D, C)
Same *v.* Same }
Fyson *v.* Whitmore
Bradstock *v.* Lediard
Newman *v.* Harrison (F D, C)
Hele *v.* Bexley } (E)
Hele *v.* Bexley }
Hele *v.* Bexley } (F D, C)
Hele *v.* Bowyer }
Hele *v.* Donovan }
Moody *v.* Payne } (F D, C)
Moody *v.* Clarke }
James *v.* James }
James *v.* James } (F D, C)
James *v.* Lloyd }
Salmon *v.* Green (F D, C)
Reid *v.* Phillips
Valland *v.* Amiot (E)
Dobson *v.* Methven
Hargrave *v.* Hargrave (F D, C)
Bayley *v.* Shearwood (F D, C)
Filby *v.* Filby (F D, C, Ptn)
Christy *v.* Courtenay (F D, C)
Woolard *v.* Hill (F D, C)
Lockhart *v.* Alder } (E of Plt.
Lockhart *v.* Crouch } F D, C)
Havergal *v.* Harrison } (F D,
Havergal *v.* Harrison } C)
Att.-Gen. *v.* Gains (F D, C) *Sh*
Johnson *v.* Nicholls
Padwick *v.* Platt
Grimsdale *v.* Grimsdale
Rudge *v.* Winnall (F D, C, Ptn)
Att.-Gen. *v.* Fuller *After T.*
Jones *v.* Powell }
Jones *v.* Powell } (F D, C)
Jones *v.* Wilson }
Walker v. Milne }
Walker *v.* Milne } (E)
Whiffin *v.* Hartwright
M'Calmont *v.* Rankin }
M'Calmont *v.* Turner }
M'Calmont *v.* Bird }
Townshend *v.* Martin (F D, C)
Smith *v.* Smith
Smith *v.* Downton
Malins *v.* Greenway }
Craddock *v.* Greenway } (F D, C, Ptn)
Malins *v.* Greenway }
Lacklison *v.* Blane }
Lacklison *v.* Blane } (F D, C)
Kirkby *v.* Platel } (E, F
Kirkby *v.* Whithorne } D, C)
Trye *v.* Glo'ster Corporation
Cross *v.* Sprigg (E, F D, C)

Newman *v.* Hutton }
Newman *v.* Hutton }
Wood *v.* Hutton }
Mumford *v.* Chapman
Douglas *v.* Willes }
Douglas *v.* Willes } (F D, C)
Douglas *v.* Puson }
Douglas *v.* Mackinnon }
Humble *v.* Humble (12 causes, (F D, C)
Attorney-Gen. *v.* Stevens
Fuswell *v.* Elwin
Atcheson *v.* Atcheson (Ptn)
Lassence *v.* Lescher
Price *v.* Berrington }
Price *v.* Fothergill } (F D, C)
Price *v.* Fothergill }
Gooch *v.* Gooch }
Gooch *v.* Clarke }
Edgell *v.* Wickham (F D)
Lucas *v.* James
Dashwood *v.* Auriol }
Coffin *v.* Dashwood } (F D, C)
Dashwood *v.* Coffin }
Coffin *v.* Coffin }
Culsha *v.* Cheese (F D, C)
Davey *v.* Birch }
Same *v.* Same }
Same *v.* Same } (F D, C, Ptn)
Davey *v.* Barnett }
Davey *v.* Birch }
Davey *v.* Birch }
Bromley *v.* Wright }
Bromley *v.* Burrows } (F D, C)
Bromley *v.* Wright }
Bromley *v.* Burrows }
Evans *v.* Davies }
Evans *v.* Jones }
Evans *v.* Morgan } (F D, C)
Evans *v.* Jones }
Evans *v.* Evans }
Smith *v.* Smith (F D, C)

New Causes.

Attorney-Gen. *v.* Chester Corporation
Harrison *v.* Harrison
Lawrence *v.* West Middlesex Water-works
Naylor *v.* Naylor
Beckett *v.* Cawood
Chancellor *v.* Morecraft
Lee *v.* Elmslie
Reynell *v.* Sprye }
Reynell *v.* Sprye }
M'Donnell *v.* Haynes
Attorney-Gen. *v.* Bingham (F D, C)
Wynn *v.* Fenwick
Pelly *v.* Wathen }
Pelly *v.* Lewis }
Pelly *v.* Lewis } (E)
Pelly *v.* Hall }
Pelly *v.* Hooper }

London Gazettes.

TUESDAY, January 9.

BANKRUPTS.

RICHARD REES, Duke-street, St. James's, Westminster, Middlesex, boot and shoe manufacturer, dealer and chapman, Jan. 18 at 1, and Feb. 17 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sol. Barton, 4, Wolsingham-place, Lambeth.—Fiat dated Jan. 6.

JOHN PHILPOTTS, Holborn-bars, London, shawl and fur warehouseman, dealer and chapman, Jan. 20 at 2, and Feb. 24 at 12, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Marden & Pritchard, Newgate-street. — Fiat dated Jan. 3.

JOHN D'MONTE ARBUTHNOT, otherwise D'MONTE ARBUTHNOT, Great St. Helen's, Bishopsgate-street Within, London, and Albany, Piccadilly, Middlesex, merchant and agent, dealer and chapman, Jan. 19 at 1, and Feb. 13 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Steele, Lincoln's-inn-fields. — Fiat dated Dec. 29.

WILLIAM WALTER IRVING, late of Spring Park, near Charlotte Town, Prince Edward Island, British North America, and now of Gloucester-street, Queen-square, Bloomsbury, Middlesex, merchant, dealer and chapman, Jan. 16 at half-past 12, and Feb. 19 at half-past 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Holmes, 158, Fenchurch-street.—Fiat dated Jan. 3.

THOMAS DRAYTON, late of Regent-street, Oxford-st., Middlesex, glass silverer, dealer and chapman, but now of Brunswick-cottage, Park Village East, Regent's-park, Middlesex, out of business, Jan. 18 at 2, and Feb. 22 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Parson, Pancras-lane.—Fiat dated Jan. 3.

JOSEPH OXLEY, Bradford, Yorkshire, lately carrying on business there as a commission agent, dealer and chapman, but now a cottonwarp dyer at Bradford aforesaid, with Edward Smith Minton, also of Bradford, under the style or firm of Joseph Oxley & Co., Jan. 26 and Feb. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Terry & Watson, Bradford; Bond & Barwick, Leeds; Clarke, Southampton-bdgs., London.—Fiat dated Jan. 4.

JOSEPH HASTINGS, Lenton, Nottinghamshire, lace manufacturer, dealer and chapman, Jan. 26 and Feb. 23 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Fiat dated Dec. 29.

GEORGE ADDISON, Tipton, Staffordshire, builder and publican, dealer and chapman, Jan. 23 and Feb. 20 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Bolton, Dudley; Motteram & Co., Birmingham.—Fiat dated Jan. 2.

JAMES HELLINGS, Rugeley, Staffordshire, common brewer, Jan. 17 and Feb. 22 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Fiat dated Dec. 29.

WILLIAM LYNDON, Digbeth, Birmingham, provision dealer, commission agent, dealer and chapman, Jan. 27 and Feb. 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Benson, Birmingham.—Fiat dated Jan. 4.

BENJAMIN JOHN MAUNDER, Mark, Somersetshire, draper and general shopkeeper, Jan. 23 and Feb. 20 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. W. L. & C. Clarke, Bristol; Abbott & Co., New-inn, London.—Fiat dated Jan. 4.

JOHN CROSSFIELD, Warton, Lancashire, linen merchant, liquor merchant, and farmer, Jan. 25 and Feb. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Fisher & Stone, Liverpool; Cornthwaite & Co., Old Jewry-chambers, London.—Fiat dated Jan. 3.

GIELIS FRANCIS HENRY and HENRY JOHN CHAMBERS, Kirkdale, Liverpool, vinegar brewers and manufacturers, Jan. 22 and Feb. 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Holden, Liverpool; Keightley & Co., Chancery-lane, London. —Fiat dated Jan. 2.

THOMAS COATES, Sunderland, Durham, wine, spirit, and porter merchant, Jan. 19 and Feb. 23 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. J. J. & G. W. Wright, Sunderland; Maples & Co., 6, Frederick's-place, Old Jewry, London. — Fiat dated Jan. 2.

Meetings.

Menahem Levy Bensusan, Samuel Levy Bensusan, Jacob Levy Bensusan, and *Joshua Levy Bensusan,* Magdalen-row, Great Prescot-street, Goodman's-fields, Middlesex, merchants, Jan. 26 at half-past 12, Court of Bankruptcy, London, pr. d. of *S. L. Bensusan.—T. Gillespie Ferguson, H. Taylor,* and *George Fred. Mandley,* Manchester, commission merchants, Jan. 23 at 11, District Court of Bankruptcy, Manchester, pr. d.—*Walter Sheppard,* Manchester, wine dealer, Jan. 25 at 11, District Court of Bankruptcy, Manchester, ch. ass.—*Jos. Thos. Townsend,* High-st., Islington, Middlesex, carpet dealer, Jan. 20 at half-past 1, Court of Bankruptcy, London,

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last ex.—*Alex. Broad*, Brixton-road, Brixton, Surrey, builder, Feb. 1 at half-past 2, Court of Bankruptcy, London, last ex.—*Robert Neal*, Wandsworth-common, Surrey, nurseryman, Jan. 23 at 2, Court of Bankruptcy, London, last ex.—*John Croudson*, Wigan, Lancashire, money scrivener, Jan. 15 at 12, District Court of Bankruptcy, Manchester, last ex.—*Samuel Mark Halfhide*, Cheshunt, Hertfordshire, linen draper, Feb. 1 at 12, Court of Bankruptcy, London, aud. ac.; Feb. 2 at 1, div.—*Joseph Harvey*, Catherine-street, Strand, Middlesex, artist's colourman, Jan. 30 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. C. Knight*, Fort-street, Spital-square, Middlesex, undertaker, Jan. 31 at 12, Court of Bankruptcy, London, aud. ac.—*Joshua Rhodes*, Queen's-row, Pimlico, Middlesex, builder, Jan. 31 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Day*, Hilgay, Norfolk, brick maker, Feb. 1 at 11, Court of Bankruptcy, London, aud. ac.—*The Merchant Traders' Ship, Loan, and Insurance Association*, Feb. 1 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Rose* the younger, Dorking, Surrey, grocer, Jan. 31 at 12, Court of Bankruptcy, London, aud. ac.—*W. H. Walsham*, Chapel-st., Pentonville, Middlesex, builder, Feb. 1 at 2, Court of Bankruptcy, London, aud. ac.—*J. M. M'Kenzie* and *Jas. Fraser*, Pancras-lane, London, warehousemen, Feb. 1 at 11, Court of Bankruptcy, London, aud. ac.—*John Cockey* the younger, Portsmouth, Southampton, ship builder, Jan. 31 at 12, Court of Bankruptcy, London, aud. ac.—*James Warne*, Newport, Isle of Wight, Southampton, grocer, Feb. 7 at 11, Court of Bankruptcy, London, aud. ac.—*V. S. Godfrey*, Duddington, Northamptonshire, miller, Feb. 6 at 12, Court of Bankruptcy, London, aud. ac.—*James Greaves*, Stoke-upon-Trent, Staffordshire, ale merchant, Feb. 7 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*W. H. Gratrix* and *John Taverner*, Nuneaton, Warwickshire, silk manufacturers, Feb. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 17 at 12, div.—*John S. Manby*, Burnley, Lancashire, ironmonger, Feb. 2 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*John Lord*, Crawshaw Booth, Lancashire, cotton manufacturer, Jan. 31 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 5 at 12, div.—*Hen. Hollis*, Liverpool, tea dealer, Jan. 31 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Beresford*, Birkenhead, Cheshire, flour dealer, Jan. 31 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Penny*, Merthyr Tydvil, Glamorganshire, brewer, Feb. 8 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Stockham*, Bristol, licensed victualler, Feb. 5 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Henry Colemett*, Portsea, Hampshire, baker, Feb. 9 at 11, Court of Bankruptcy, London, div.—*J. Balaam*, Enfield, Middlesex, smith, Feb. 7 at 12, Court of Bankruptcy, London, div.—*John Nokes*, New Ormond-street, Middlesex, builder, Feb. 1 at 11, Court of Bankruptcy, London, div.—*James Phillips*, Cross-street, Finsbury, Middlesex, dealer in horses, Feb. 1 at 12, Court of Bankruptcy, London, div.—*Fred. Davis*, Luton, Bedfordshire, merchant, Feb. 2 at 2, Court of Bankruptcy, London, div.—*J. Ball*, Martin's-lane, Cannon-street, London, merchant, Feb. 2 at 12, Court of Bankruptcy, London, div.—*John B. Browne*, Newcastle-under-Lyme, Staffordshire, wine merchant, Jan. 30 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*J. W. Burton*, *G. Cotman*, and *Wm. Smith*, Manchester, and Leeds, Yorkshire, manufacturers, Feb. 1 at 12, District Court of Bankruptcy, Manchester, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Saml. M. Halfhide, Cheshunt, Hertfordshire, linen draper, Feb. 1 at 12, Court of Bankruptcy, London.—*Jas. Graves*, Bury St. Edmunds, Suffolk, boot maker, Feb. 1 at 11, Court of Bankruptcy, London.—*Wm. M. Hill*, Charlton-place, Islington, Middlesex, builder, Jan. 31 at 12, Court of Bankruptcy, London.—*Thomas Brown*, Nottingham-mews, High-street, St. Marylebone, Middlesex, coach smith, Feb. 8 at 2, Court of Bankruptcy, London.—*Joshua Rhodes*, Queen's-row, Pimlico, Middlesex, builder, Jan. 31 at 11, Court of Bankruptcy, London.—*R. G. Ward*, Doddington-place, Doddington-grove, Walworth, Surrey, butcher, Feb. 3 at 12, Court of Bankruptcy, London.—*James Dowson*, Colchester, Essex, licensed victualler, Jan. 31 at half-past 11, Court of Bankruptcy, London.—*Wm. H. Mackey*, Southampton, attorney, Jan. 31 at half-past 12, Court of Bankruptcy, London.—*T. Rose* the younger, Dorking, Surrey, grocer, Jan. 31 at 12, Court of Bankruptcy, London.—*Wm. Godfrey*, London-wall, London, carpenter, Jan. 31 at half-past 1, Court of Bankruptcy, London.—*John F. Cartner*, Oakhill, Ashwick, Somersetshire, surgeon, Feb. 6 at 11, District Court of Bankruptcy, Bristol.—*Wm. W. Dunn*, Bath, *Wm. Keene*, Bath, Somersetshire, *H. B. Marriott*, Llanganoyd, Glamorganshire, and *Saml. B. Waring*, Bristol, brewers. Feb. 2 at 11, District Court of Bankruptcy, Bristol.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Jan. 30.

S. L. Gaskell, Congleton, Cheshire, clock maker.—*Fred. C. Chappell*, Angel-court, Throgmorton-street, London, and Cottage-green, Camberwell, Surrey, stock broker.—*Wm. Rees* and *Evan Roberts*, Liverpool, joiners.—*Jas. Hughes*, Walmersley-cum-Shuttleworth, Lancashire, paper maker.—*H. Browne*, Ferdinand-terrace, Hampstead-road, Middlesex, surgeon.—*Rich. G. Clode*, Windsor, Berkshire, corn merchant.—*Allan Gilmore*, Calcutta, East Indies, merchant.

Fiats annulled.

John Jackson, Clifford, Herefordshire, farmer.—*Chas. P. Downman*, Birchin-lane, London, gunpowder merchant.

Partnership Dissolved.

Wm. Welsby and *Richard Johnson*, Southport, Lancashire, attornies and solicitors.

Scotch Sequestrations.

Chas. M'Gregor, Ballintulm, *Colin M'Gregor*, Blairgowrie, and *Wm. M'Gregor*, New Rattray, cattle dealers.—*Thomas Rattray*, Dundee, brewer, deceased.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Mercer, Maidstone, Kent, hair dresser, Feb. 6 at 12, County Court of Kent, at Maidstone.—*Henry Matthews*, Trottiscliffe, Kent, grocer, Feb. 6 at 12, County Court of Kent, at Maidstone.—*John Gerrard*, Newton, near Frodsham, Cheshire, out of business, Jan. 12 at 11, County Court of Cheshire, at Hill's Hotel, at Runcorn.—*Emma E. Underhill*, Wolverhampton, Staffordshire, dressmaker, Jan. 22 at 12, County Court of Staffordshire, at Wolverhampton.—*George Tharme*, Wolverhampton, Staffordshire, horse dealer, Jan. 22 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Green*, Wolverhampton, Staffordshire, schoolmaster, Jan. 22 at 12, County Court of Staffordshire, at Wolverhampton.—*John Williams*, Darlaston, Staffordshire, butty collier, Jan. 22 at 12, County Court of Staffordshire, at Walsall.—*John Claxton*, Stoke, Ipswich, Suffolk, out of business, Jan. 19 at 10, County Court of Suffolk, at Ipswich.—*Thomas Rees*, Aberystwith, Cardiganshire, victualler, Jan. 31 at 10, County Court of Cardiganshire, at Aberystwith.—*Charles Perry*, Tipton, Staffordshire, huckster, Jan. 26 at 2, County Court of Worcestershire, at Dudley.—*Geo. Hubbard*, Badwell Ash, Suffolk, carpenter, Jan. 29 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Alfred Catt*, Witnesham, Suffolk, out of business, Jan. 25 at 2, County Court of Suffolk, at Woodbridge.—*John A. Potter*, Pakenham, Suffolk, baker, Jan. 22 at 10, County Court of Suffolk, at Stowmarket.—*Charlotte Heath*, widow, Sheerness, Kent, hair dresser, Jan. 22 at 10, County Court of Kent, at Sheerness.—*William Rattenbury*, Washford Pyne, Devonshire, innkeeper, Feb. 5 at 10, County Court of Devonshire, at Crediton.—*J. Coates*, Bridlington Quay, East Riding, Yorkshire, out of business, Jan. 24 at 10, County Court of Yorkshire, at Bridlington.—*Rich. Cockerill*, Below the Hill, Kirton in Lindsey, Lincolnshire, grocer, Feb. 10 at 11, County Court of Lincolnshire, at Brigg.—*Wm. Page*, Morchard Bishop, Devonshire, farmer, Feb. 5 at 10, County Court of Devonshire, at Crediton.—*Ambrose Weston*, Deal, Kent, market gardener, Jan. 23 at 10, County Court of Kent, at Deal.—*Michael Green*, Clifton, Bristol, fly driver, Feb. 28 at 11, County Court of Gloucestershire, at Bristol.—*Geo. Davis*, Bedminster, Bristol, out of business, Feb. 28 at 11, County Court of Gloucestershire, at Bristol.—*James John Bullied*, Bristol, carpenter, Feb. 28 at 11, County Court of Gloucestershire, at Bristol.—*John P. E. Mead*, Bedminster, Bristol, supernumerary in the Bristol General Post-office, Feb. 28 at 11, County Court of Glouces-

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tershire, at Bristol.—*John Stemson*, Bristol, tailor, Feb. 28 at 11, County Court of Gloucestershire, at Bristol.—*Joseph King*, Downend, Mangotsfield, Gloucestershire, carrying on no trade or business, Feb. 28 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 23 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Wake, Newton-terrace, Kennington-cross, Surrey, commercial traveller.—*Hen. Jones*, Little Vine-st., Piccadilly, Middlesex, bricklayer.—*Richard T. Terry*, Brunton-place, Commercial-road East, Middlesex, pump maker.—*Louisa Watts*, spinster, Bayham-street, Camden-town, Middlesex, needlewoman.—*Wm. Holmes*, Canal-place, Mile-end-road, Stepney, Middlesex, milkman.—*Edwin E. Merrall*, Matilda-st., Caledonian-road, King's-cross, Middlesex, civil engineer.—*John Gardner*, Leather-lane, Holborn, Middlesex, out of business.

Jan. 23 *at* 11, *before the* CHIEF COMMISSIONER.

Thomas Wm. Shackel, King-street, Stepney, Middlesex, clerk to an ironmonger.

Jan. 25 *at* 11, *before Mr. Commissioner* PHILLIPS.

Wm. T. Barth, Chester-place, Kennington, Surrey, clerk in the General Post-office.

Saturday, Jan. 6.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Proffitt, Lancaster, sawyer, No. 704,221 C; Daniel Simpson and Chas. Cleminson, assignees.—*John Walmsley*, Accrington, Lancashire, bookkeeper, No. 70,338 C.; James Stansall Pott, assignee.—*Thos. Roskell*, Preston, Lancashire, blacksmith, No. 70,337 C.; John Whitehead, assignee.—*Jos. Bricknell*, Beddington, Gloucestershire, farmer, No. 70,048 C.; George Gilbert, assignee.—*Philip Edward*, Parkbach, Llandefeysant, Carmarthenshire, farmer, No. 70,226 C.; James Thomas, assignee.—*Thomas Phillips*, Coedenfaur, Llanon, Carmarthenshire, farmer, No. 69,528 C.; John Davies, assignee.—*William Hills*, Drewett-place, Rye-lane, Peckham, Surrey, market gardener, No. 59,948 T.; Thomas Reynolds, assignee.—*John Yardley*, Old Chapel-row, Kentish-town, Middlesex, out of employ, No. 56,568 T.; John Meares, assignee.—*Thomas Ellis*, Kenegie, Cornwall, gentleman, No. 64,536 C.; Thomas W. Bolton, new assignee, in place of T. James, removed.

Saturday, Jan. 6.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Jos. A. Gray, Wyndham-road, Camberwell, Surrey, dealer in jewellery: in the Gaol of Horsemonger-lane.—*J. Gardiner*, Union-street, Kennington-cross, Surrey, in no trade: in the Debtors Prison for London and Middlesex.—*Charles Elliott*, Fisher's-lane, Turnham-green, Middlesex, market gardener: in the Debtors Prison for London and Middlesex.—*Charles Westlake*, Newport-court, Newport-market, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*G. Sheppard*, Canterbury-st., York-road, Lambeth, Surrey, cook: in the Gaol of Horsemonger-lane.—*A. Soan*, Egham, Surrey, licensed victualler: in the Gaol of Horsemonger-lane.—*Benj. Samo*, Regent-st., Middlesex, general agent: in the Queen's Prison.—*Ben. Skinner*, New-street, Broad-st., Golden-sq., Middlesex, hay dealer: in the Debtors Prison for London and Middlesex.—*Charles Barnard* the elder, Wood-st., Cheapside, London, baker: in the Debtors Prison for London and Middlesex.—*Wm. H. Turtle* the elder, Palace-street, Pimlico, Middlesex, pianoforte tuner: in the Debtors Prison for London and Middlesex.—*Geo. Smeed*, Reading, Berkshire, licensed victualler: in the Debtors Prison for London and Middlesex.—*Robert Stanford*, Church-street, Greenwich, Kent, baker: in the Debtors Prison for London and Middlesex.—*John S. Story* the younger, Foley-place, Portland-place, Middlesex, attorney at law: in the Queen's Prison.—*John Jones*, York-street, Blackfriars-road, Surrey, porter to a grocer: in the Gaol of Surrey.—*Chas. Wyatt* the younger, South Lambeth, Surrey, railway clerk: in the Gaol of Surrey.—*Stephen Giles Holmans*, Park-st., Grosvenor-square, Middlesex, veterinary surgeon: in the Debtors Prison for London and Middlesex.—*Geo. B. Kennett*, Victoria Blenheim-grove, Ryde-lane, Peckham, Surrey, chemist: in the Debtors Prison for London and Middlesex.—*Robert G. Barber*, Cleave-place, Larkhall-lane, Clapham, Surrey, plumber: in the Gaol of Surrey.—*J. James*, Berwick-street, Soho, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*T. Sillibourne*, Hampton-terrace, Camden-town, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*Jos. Bell*, Great Ormond-street, Queen's-square, Bloomsbury, pastry cook: in the Debtors Prison for London and Middlesex.—*John Brace*, Charlotte-terrace, New-cut, Lambeth, Surrey, attorney at law: in the Debtors Prison for London and Middlesex.—*George Hibbert*, Belmont-place, Wandsworth-road, Surrey, hat manufacturer: in the Gaol of Horsemonger-lane.—*Lewis Levy*, Smith-street, Jubilee-place, Mile-end, Middlesex, picture dealer: in the Debtors Prison for London and Middlesex.—*John Carter*, King-street, Southwark, Surrey, dealer in horse flesh: in the Gaol of Horsemonger-lane.—*J. Lawson Hayman*, Albany-road, Old Kent-road, Surrey, seed cleaner: in the Gaol of Horsemonger-lane.—*John Adcock*, Stoney Stanton, near Hinckley, Leicestershire, framework knitter: in the Gaol of Leicester.—*Chas. Aspden*, Blackburn, Lancashire, cotton spinner: in the Gaol of Lancaster.—*James Bishop*, Ramsey, Huntingdonshire, labourer: in the Gaol of Huntingdon.—*John Dobson*, Kingston-upon-Hull, woollen draper: in the Gaol of Kingston-upon-Hull.—*Jas. Hagley*, Halifax, Yorkshire, tea dealer: in the Gaol of York.—*Robert Hargreaves*, Colne, Lancashire, mouslaine de laine manufacturer: in the Gaol of Lancaster.—*Jos. Robinson*, Liverpool, canvasser for orders and deliverer of books: in the Gaol of Lancaster.—*John C. Skerrett*, Liverpool, sharebroker's clerk: in the Gaol of Lancaster.—*John Sanderson*, South Shields, Durham, builder: in the Gaol of Durham.—*Rich. Faulkner*, Salford, Lancashire, bookkeeper: in the Gaol of Lancaster.—*Wm. Wagstaff*, Heslington, near York, bleacher: in the Gaol of York.—*John Pharaoh*, Gloucester Green, Oxfordshire, wheelwright: in the Gaol of Oxford.—*Robert Wm. Samson*, Upwey, Dorsetshire, coal dealer: in the Gaol of Dorchester.—*Jane S. Neale*, Alton Barnes, Wiltshire, bookseller: in the Gaol of Fisherton Anger.—*Wm. Sutherland*, Meek, Tarporley, Cheshire, surgeon: in the Gaol of Chester.—*Edward S. Minton*, Mamringham-lane, near Bradford, Yorkshire, commission agent: in the Gaol of York.—*Lawrance Spencer*, Grantham, Lincolnshire, cattle dealer: in the Gaol of Lincoln.—*Ann Altham*, widow, Bolton-le-Moors, Lancashire: in the Gaol of Lancaster.—*Ben. Parker*, Liverpool, green grocer: in the Gaol of Lancaster.—*Sarah Rees*, Bristol, licensed victualler: in the Gaol of Bristol.—*Thomas Spencer*, Church View Bootle, near Liverpool, potter: in the Gaol of Lancaster.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 25 *at half-past* 1, *before Mr. Commissioner* LAW.

Sarah Staples, widow, Shoe-lane, London, keeping a stall in Farringdon-market.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at YORK CASTLE, *Jan.* 23 *at* 9.

John Child, Beckwith Shaw, near Harrogate, out of business.—*Richard Oldfield*, Dewsbury, cardmaker.—*Wm. Wilkinson*, Leeds, assistant provision dealer.—*Daniel Glover*, Pudsey, near Leeds, clothier.—*Wm. Brown*, Holbeck-lane End, near Leeds, blacksmith.—*Jos. Law*, Scholes, near Dewsbury, out of business.—*Benj. Cole*, Horbury, near Wakefield, farmer.—*Edward Welsh*, Huddersfield, railway contractor.—*Francis Hogg*, New Wortley, near Leeds, licensed victualler.—*Edward Sutcliffe*, Halifax, out of business.—*John Pearson*, Gilding Wells, farmer.—*James Hagley*, Halifax, tea dealer.—*Wm. Gott*, Leeds, beerseller.

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At the County Court of Dorsetshire, at DORCHESTER, *Jan.* 24.

Rob. Wm. Samson, Upwey, out of business.

At the County Court of Gloucestershire, at BRISTOL, *Jan.* 24 *at* 11.

Charles Orchard the younger, Clifton, mason.

At the County Court of Hampshire, at WINCHESTER, *Jan.* 25.

John Andrews, Frithem, near Lyndhurst, baker.

FRIDAY, JANUARY 12.

BANKRUPTS.

GERARD DE WITTE, Throgmorton-st., London, commission agent and dealer in railway shares, dealer and chapman, Jan. 20 and Feb. 22 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Buchanan, Basinghall-st. —Fiat dated Jan. 11.

FRANCIS THOMPKINS, Sydney-st., Fulham-road, Middlesex, bill broker and money scrivener, dealer and chapman, Jan. 20 and Feb. 22 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Chamberlayne, Great James-st., Bedford-row.—Fiat dated Jan. 9.

JAMES DE BERNARDY, otherwise JAMES BERNARDY, Hanover-st., Hanover-sq., Middlesex, victualler, dealer and chapman, Jan. 19 and Feb. 23 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Steele, 1, Lincoln's-inn-fields.—Fiat dated Jan. 9.

LEWIS JOSEPH HART, Great Yarmouth, Norfolk, woollen draper, dealer and chapman, Jan. 19 at 2, and Feb. 23 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Goddard & Eyre, 101, Wood-st., Cheapside, London. —Fiat dated Jan. 1.

WILLIAM BLACKNELL, Plumstead, Kent, baker, dealer and chapman, Jan. 18 at 1, and March 3 at 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Buchanan, 8, Basinghall-street.—Fiat dated Jan. 11.

THOMAS MAYCOCK, Bletchington, Oxfordshire, brick and tile maker, dealer and chapman, Jan. 25 at 2, and March 1 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Wagner, Oxford; Vallance, Old Jewry-chambers, London.—Fiat dated Jan. 6.

JOHN SPIKINS, late of Dartmouth-row, but now of Regent-street, Westminster, Middlesex, carpenter and builder, dealer and chapman, Jan. 25 at 11, and Feb. 20 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Williams, 31, Alfred-place, Bedford-square.—Fiat dated Jan. 6.

JAMES EDWARD CLARKE, Bury Saint Edmund's, Suffolk, clothier and draper, dealer and chapman, Jan. 25 at 11, and Feb. 23 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Huson, 7, Ironmonger-lane, Cheapside.—Fiat dated Jan. 3.

JOHN JAMES CURTIS, sometimes known as JAMES CURTIS, Erith, Kent, hotel keeper, dealer and chapman, Jan. 22 at half-past 2, and Feb. 26 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Buchanan, 8, Basinghall-street, London.—Fiat dated Jan. 11.

JOSEPH PILGRIM, Bethnal-green, and Back-lane-road, Shadwell, Middlesex, publican, dealer and chapman, Jan. 22 at 1, and Feb. 26 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. De Jersey, Saint Ann's-lane.—Fiat dated Jan. 9.

PAUL WHITEHEAD, Bradford, Yorkshire, corn miller, (heretofore carrying on business at Bradford as a bonnet maker, provision dealer, and corn miller), Jan. 26 and Feb. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Terry & Watson, Bradford; Bond & Barwick, Leeds; Clarke, Southampton-buildings, London.— Fiat dated Jan. 9.

GEORGE PRICE, Wolverhampton, Staffordshire, printer, stationer, and paper dealer, Jan. 27 and Feb. 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Bolton, Wolverhampton. — Fiat dated Jan. 9.

THOMAS WILLIAMS, Birmingham, surgeon and apothecary, dealer and chapman, Jan. 24 and Feb. 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Harrison, Birmingham.—Fiat dated Jan. 6.

JOHN BISHOP, Worcester, carpenter, builder, cabinet maker, dealer and chapman, Jan. 24 and Feb. 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Stattard, Worcester; Suckling, Birmingham. —Fiat dated Jan. 6.

MEETINGS.

Edward Tucker, Nicholas-lane, London, dealer in shares, Jan. 23 at 1, Court of Bankruptcy, London, last ex.—*Charles Howard*, Kingston, Surrey, and Gt. Tower-st., London, wine merchant, Jan. 23 at 2, Court of Bankruptcy, London, last ex.—*Alexander Broad*, Brixton-road, Brixton, Surrey, builder, Feb. 1 at half-past 2, Court of Bankruptcy, London, last ex. —*Wm. Shaw* the younger, Salford, Lancashire, printer, Jan. 22 at 12, District Court of Bankruptcy, Manchester, last ex. —*John Speakman*, Astley, Lancashire, joiner, Jan. 24 at 12, District Court of Bankruptcy, Manchester, last ex.—*George Henry Husband*, Salford, Lancashire, joiner, Jan. 23 at 12, District Court of Bankruptcy, Manchester, last ex.—*William Bower*, Wilmslow, Cheshire, cotton spinner, Jan. 23 at 11, District Court of Bankruptcy, Manchester, last ex.— *John Faulkner*, Manchester, coach lace manufacturer, Jan. 24 at 11, District Court of Bankruptcy, Manchester, last ex. —*Dan. Horton* and *Geo. Horton*, Russell's-hall Ironworks, near Dudley, Worcestershire, iron masters, Jan. 30 at 10, District Court of Bankruptcy, Birmingham, last ex.—*J. Mayne*, Rayleigh, Essex, auctioneer, Feb. 7 at 12, Court of Bankruptcy, London, aud. ac.—*H. Marsland*, Hazel-grove, within Bosden, Cheshire, silk throwster, Feb. 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 6 at 12, fin. div. —*S. Newton*, Burnley, Lancashire, porter dealer, Feb. 6 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 7 at 12, div.—*John George*, Jackfield, Broseley, Shropshire, grocer, Feb. 7 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Yates* the elder, Colton, Staffordshire, corn merchant, Feb. 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Yates* the younger, Colwich, Staffordshire, corn factor, Feb. 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Palmer*, Birmingham, maltster, Feb. 7 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Green Hathaway*, Stanford Bridge, Great Shelsley, Worcestershire, grocer, Feb. 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.— *John Reay* the younger and *Henry Reay*, Mark-lane, London, wine merchants, Feb. 5 at half-past 1, Court of Bankruptcy, London, div. sep. est. of *Henry Reay*.—*Wm. Day*, Hilgay, Norfolk, brick maker, Feb. 6 at 12, Court of Bankruptcy, London, div.—*Joseph Davis*, Northampton, innkeeper, Feb. 6 at 11, Court of Bankruptcy, London, div.—*J. Every* the elder, Lewes, Sussex, ironfounder, Feb. 6 at half-past 11, Court of Bankruptcy, London, fin. div.—*Christopher Robinson*, Great Trinity-lane, London, oil merchant, Feb. 8 at 11, Court of Bankruptcy, London, div. — *Henry Molyneux*, Lombard-st., London, and Ealing-green, Middlesex, watch maker, Feb. 6 at 1, Court of Bankruptcy, London, div.— *Jas. Shepherd*, Bristol, leather seller, Feb. 6 at 11, District Court of Bankruptcy, Bristol, div.—*Jas. Stockham*, Bristol, licensed victualler, Feb. 6 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Mark Robert Cockburn Wightman, Pancras-lane, London, linen factor, Feb. 8 at half-past 11, Court of Bankruptcy, London.—*Valentine Soden Godfrey*, Duddington, Northamptonshire, miller, Feb. 6 at 12, Court of Bankruptcy, Londdn.—*Robert Allison* and *Thos. Allison*, Dean-street, Soho, Middlesex, pianoforte manufacturers, Feb. 6 at 1, Court of Bankruptcy, London.—*Sidney Adcock*, Edward-st., Saint Marylebone, Middlesex, working jeweller, Feb. 5 at 1, Court of Bankruptcy, London. — *Isaac Hurn*, Wood-st., and Brick-lane, Spitalfields, Middlesex, auctioneer, Feb. 2 at 12, Court of Bankruptcy, London.—*Thos. Spiring*, Bristol, grocer and bookbinder, Feb. 6 at 11, District Court of Bankruptcy, Bristol.—*Edwin Taylor*, Clifton, Bristol, stock and share broker, Feb. 12 at 11, District Court of Bankruptcy, Bristol.— *Samuel Newton*, Burnley, Lancashire, porter dealer, Feb. 5 at 1, District Court of Bankruptcy, Manchester.—*Henry Dawson Wilkinson*, Sheffield, Yorkshire, silver plater, Feb. 3 at 12, District Court of Bankruptcy, Sheffield.—*S. Worth*, Sheffield, Yorkshire, architect and surveyor, Feb. 3 at 12,

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District Court of Bankruptcy, Sheffield.—*James Archer*, Birmingham, oil cloth manufacturer, Feb. 7 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 2.

John Gaisford, Gravel-lane, Southwark, Surrey, baker.—*Wm. Shackell*, Regent's-canal, St. Pancras, and Hammersmith, Middlesex, coal tar manufacturer.—*John Raven Mann*, Adam-st., Adelphi, Middlesex, lithographic printer.—*Matt. Sibson*, the Grove, near Wrexham, Denbighshire, cattle dealer.—*John C. Chappell*, Great Marlborough-street, Middlesex, surgeon.—*Wm. Martin*, Birkenhead, Cheshire, innkeeper.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Alder, Buntingford, Hertfordshire, out of business, Jan. 20 at 10, County Court of Kent, at Dover.—*W. Wells*, Dover, Kent, tailor, Jan. 20 at 10, County Court of Kent, at Dover.—*James Grindrod*, Spotland, Rochdale, Lancashire, labourer, Feb. 1 at 12, County Court of Lancashire, at Rochdale.—*Alice Jones*, widow, Brymbo, Wrexham, Denbighshire, innkeeper, Jan. 27 at 10, County Court of Denbighshire, at Wrexham.—*Nelson Polak*, Huddersfield, Yorkshire, jeweller, Feb. 1 at 10, County Court of Yorkshire, at Huddersfield.—*Thomas W. Harrisson*, Egerton, Kent, out of employ, Jan. 19 at 10, County Court of Kent, at Ashford.—*Wm. Dawbin*, Cossington, Somersetshire, out of business, Feb. 5 at 11, County Court of Somersetshire, at Bridgwater.—*Chas. F. Woolcott*, Sarratt, Hertfordshire, out of business, Jan. 18 at 10, County Court of Hertfordshire, at Watford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 26 *at* 10, *before Mr. Commissioner* LAW.

Frederic Stevens, Cambridge-terrace, Clapham-road, Surrey, and Queen-st., Cheapside, London, clerk to an attorney.—*C. W. Lawrence*, John-street, Holland-street, Blackfriars, Surrey, out of business.—*Chas. John Ashton*, Lower Cropley-terrace, Middlesex, dealer in guano.

Jan. 29 *at* 10, *before Mr. Commissioner* LAW.

Thomas Hearn, Colnbrook, Buckinghamshire, butcher.

Jan. 29 *at* 11, *before Mr. Commissioner* PHILLIPS.

Rich. Lewis, Trafalgar-square, Stepney, Middlesex, clerk in the Custom-house.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 26 *at* 11, *before Mr. Commissioner* HARRIS.

Newton Treen Hicks, West-square, Southwark, Surrey, comedian.

Jan. 26 *at* 10, *before Mr. Commissioner* LAW.

Fred. Henry Osmond, Frith-street, Soho, Middlesex, out of business.

Jan. 27 *at* 11, *before Mr. Commissioner* PHILLIPS.

Chas. Westlake, Newport-court, Newport-market, Middlesex, foreman to a butcher.—*Robt. Stanford*, Church-street, Greenwich, Kent, baker.

Jan. 29 *at* 11, *before the* CHIEF COMMISSIONER.

Henry Hart, Elm Brook, near Wendover, Buckinghamshire, brickmaker.—*G. B. Kennett*, Victoria-cottages, Blenheim-grove, Rye-lane, Peckham, Surrey, out of business.

Jan. 29 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. S. Lodington, Counter-hill-terrace, Deptford, Kent, clerk in the Bank of England.—*John Jones*, York st., Blackfriars-road, Surrey, porter at a wholesale grocer's.—*Robt. B. Barrett*, Little May's-buildings, St. Martin's-lane, Middlesex, boot maker.

Jan. 29 *at* 10, *before Mr. Commissioner* LAW.

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LONDON, JANUARY 20, 1849.

We have already, in a former Number of this Journal, in reference to an occurrence that had then lately taken place, advocated the propriety, not merely of an appeal in criminal cases on fact as well as law, but the establishment of some machinery, by which, if, by the result of the inevitable defects of human institutions, an accused person is convicted and punished, and afterwards satisfactorily establishes his innocence, he shall receive at the hands of the State a solemn reversal of the judgment, and compensation for the actual and substantial loss that he can shew he has incurred. We hardly expected, when we wrote our former observations, that so soon again the imperfection of our system of criminal investigation would be manifested, by the discovery of the innocence of another person accused, convicted, and punished. The case we allude to is that of Mr. Barber, who has recently published a pamphlet*, in which all the details of his very singular case are narrated; and, certainly, it is one of those cases which strikingly support the argument of those who contend for a general appeal in criminal cases. We are not, however, going to dwell on the peculiar features of Mr. Barber's case, for the examination of which we refer our readers to the well and most temperately written pamphlet itself, but to renew our attacks upon the perpetuation of the non-appeal system. We have read and heard many arguments, and from men of varied positions and acquirements, against allowing appeals; but they all appear to resolve themselves into the fear of trouble, the fear of expense, or the tenacious clinging of the Blackstonian cast of mind to the worship of all that is, because it is. It is said, that, if you have an appeal on matter of fact, you must have it to another jury; and if to one, why not to a second and a third; and where is it to stop? And that the evidence that will convince one jury, will of course convince another. But, in the first place, we require to know why of necessity an appeal must be from one jury to another jury, if there could be shewn any substantial reason for calling in another species of tribunal? What is there about this jury so eternally thrown in our faces, that is so marvellous—so allwise and penetrating, that Englishmen cannot disconnect the idea of justice, and especially criminal justice, from that of a jury? Let any man hear the stories that every day's practice brings home from circuit, of the pranks of juries, and he would fancy there could not be a tribunal more likely to err. Yet let anything be proposed in or out of Parliament to withdraw from juries the ultimate finding of facts, and forthwith grave men arise, and forgetting, or choosing to forget, how many times they have laughed at the fatuity of juries, pronounce grave eulogiums on the trial by jury—palladium of our liberties, &c. But, in the next place, why should it be assumed, that what will convince one jury must necessarily convince another? In equity, a Vice-Chancellor is a jury, and the Chancellor is an appeal jury; yet we do not find that the Chancellor, on appeal, always draws from the evidence the same conclusion that a Vice-Chancellor has done. On the contrary, nothing is more common than for a decree to be reversed, because the evidence does not, in the mind of the Chancellor, support the conclusion of fact drawn by the Court below. In the next place, all the while that objections are made to appealing, on matter of fact, to any other tribunal than

* Case of Mr. W. H. Barber, &c., Wilson, Royal Exchange, 1849.

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a jury, there is, in reality such an appeal; for what else is the application ad misericordiam to the Crown? It is, in form, a prayer for pardon; it is, in reality, an appeal to the Secretary of State to review the facts—for the law, we believe, he never attempts to review; and the Secretary of State refers it to the Under-secretary of State, who is, of late years at least, always a Barrister. So that there is really an appeal from a jury to one single minister, not a lawyer—who, aiding his inquiries by the assistance of a lawyer, may and does from time to time decide that a jury has incorrectly found its facts. How similar in principle, yet how superior in practice, would be an appeal to a given body of judges on matter of fact as well as of law!

But then it is said, if there were such an appeal, every convicted person would appeal, with or without ground; and, as most convicted persons are penniless, who is to pay the expense, and what check would there be on frivolous appeals? The answer is, first, the country does, in fact, pay a great deal for appeals in civil cases, many of which are frivolous, notwithstanding the check of costs. The whole establishment of appeal judges and officers in civil cases is paid for, not by the suitor, but by the public, and probably far exceeds the expense that would be incurred by criminal appeals, if every criminal case involving life or transportation were appealed. And if civil suitors are entitled to the privilege of throwing on the country a burthen in respect of their appeals, why should not criminal suitors have a like privilege? But a further answer is, that though the State has a right to protect itself by punishing evil-doers, it has no right to establish for their protection a confessedly imperfect machinery, and to assume the results of that machinery to be correct merely for the purpose of saving expense.

With regard to the other branch of the subject, the duty of the State to reverse an improper decision with as much solemnity and publicity as that with which it was made, and to compensate the person who has lost, not by his own, but by the error of the State, we conceive the question to be so free from doubt and difficulty, that nothing but the innate indisposition of all States to admit error and accept innovation, could have prevented the principle from being adopted long ago. The justice of the thing can be no more questioned than the justice of Lord Campbell's Act, imposing on railway companies, who have killed men by the carelessness of their servants, the liability to compensate the families of the sufferers; and the difficulty of estimating what a man has lost by losing his business or profession for a given number of years, would not be so great as to require a Laplace to calculate it. It would be about as difficult as it is to compute the pecuniary value of a man's life, under Lord Campbell's Act, and not more so.

It is a long time since a case of so much interest and importance as that of *The Attorney-General* v. *Strange* and *Prince Albert* v. *Strange** has been decided; the interest and importance of the case not depending merely, though much, on the rank and position of the parties engaged, but also on the originality of the question at issue, and the extensive consequences that may follow the decision.

The facts of the case have been so presented to the Court as to require it to decide this question: whether there is a right of property in literary or artistical composition, entitling the proprietor of the composition to restrain any person, not having his consent, from publishing to the world a catalogue enumerating and identifying the compositions produced; and the Court has decided that there is such a right of property.

* Vice-Chancellor Knight Bruce, 16th January, 1849, not yet reported.

The judgment of the very eminent person who has decided this case is, as might be expected, from his high reputation, and from the nature of the subject, at once elaborate and argumentative, subtle and cautious. Still, if we correctly apprehend its effect, it proceeds on the ground, not of fraud, but of a right of property being in the plaintiff; and, on this view of the question, we propose to submit a few observations to our readers.

The case is, unquestionably, one of the first impression. We did not hear it stated in the judgment that there is any direct authority in point, and we believe there is none. The Court referred to cases operating by way of analogy; and the judgment was, therefore, that which, to a lawyer's ear, is rare, but delightful—a judicial argument upon principle.

Now, the question upon principle comes, in effect, to this—whether there is a right of property, not in an unpublished manuscript or print, for it is clear there is such a property, but in the fact of such a manuscript or print having been composed. Property, in the legal sense, can, we apprehend, exist only in some material thing. There is no property in the invention of a mechanical principle in the abstract; that is settled. There is property in a principle applied in practice; that is, there is property in the material exhibition of the mechanical idea. So there is property in a literary idea, materialised by being exhibited, explained, manifested in the form of words written, or, under particular legislative enactments, spoken. But there is, we apprehend, and can be no property at law in an idea unmaterialised; and for this, if for no other reason, that there cannot be property except in that which is capable of identification—that which has conditions of existence distinguishing it from every other thing; whereas an idea, until materialised, cannot be identified—cannot be measured by or confined within any boundaries—cannot, in fact, have precise attributes peculiar to its existence, distinguishing it as a thing different from any other thing. Property, the jus proprietatis, seems, in fact, to require of necessity, to satisfy the term, something material; and when we talk of a man's property in his ideas, it should not be forgotten that the law has hitherto not noticed any such property, except when the ideas have been connected with something material, such as writing, drawing, painting, or the like. Within this view of property fall clearly the cases of unpublished manuscripts or prints. There the author has materialised his ideas: he has embodied them in the form of words written, or of figures delineated upon paper. He has produced a material thing, expressing through matter particular ideas to the mind of the reader or looker. But if a man has conceived only the idea of a work or a picture, has he, can he, have any property in that idea until he has clothed it in material form? Suppose, for instance, the Laocoong roup never to have existed, and that an artist had formed the idea of such a group, could he maintain a right of property in the abstract idea of the central figure of a father surrounded by sons, and all struggling in the coils of a serpent; that is, could he maintain a title to property in the idea, to the extent of preventing any other person from embodying it after his own fashion of embodying it? Certainly, no decided case has gone that length. Again, suppose a person of literary imagination to conceive the fable of The Paradise Lost, would it be pretended that he could refuse himself to clothe it in language, and at the same time prevent every person from clothing that fable in language of his own? If any such doctrine were attempted to be maintained, the result would necessarily be, that, in a short space of time, all subjects of interest might be monopolised by those who would not take the pains to materialise them; and there would remain nothing on which the labours of the writer or artist could be employed.

Now, if there be no property in an idea unmate-

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rialised, how can there be property in a mere fact? If I have composed a variety of works, literary or artistic, I have property in the works; but have I property not only in the works, but in the fact that I have composed them? The fact is not a material thing—it is a mere truth, equivalent to what, in science, is commonly, perhaps not accurately, termed a principle; that is, the true assertion that something is. Does the law of England recognise any such property? We apprehend not. A man has a right of property in his land, in his house, in his gems, in his literary composition, in his painting, in his sculpture; but the fact that he possesses or has produced such things, is a mere piece of knowledge—an assertion that a particular thing has an existence; and in that piece of knowledge, wholly unmaterialised by him, he has, and can have, as we humbly submit, no right of property. Then, if that be so, let us see what is a catalogue. A catalogue may possibly be descriptive, to the extent of being a piracy of the thing catalogued. Possibly, for instance, a person of great skill might so describe in a catalogue the Laocoon, as to convey to the mind of an artist a perfect representation of the group; and possibly, independently of the doctrine of *The Attorney-General* v. *Strange*, such a catalogue might be held an infringement of the copyright of the author of the group. This point is not, however, the point in *The Attorney-General* v. *Strange*, in which it does not appear, from the judgment, that anything more was conveyed by the catalogue than knowledge of the fact, that the plaintiffs had produced certain etchings, with sufficient description to identify the subjects of those etchings, and no more. And then the question is, is such a catalogue anything more than a statement of certain facts, viz. the facts that A. has written certain manuscripts on given subjects, or possesses certain things? In order to entitle the proprietors of manuscripts in such a case, to maintain an injunction on the ground of property, we apprehend the doctrine must go the length of recognising property not in the manuscript itself merely, but in the secret of its existence; because clearly catalogue does not touch the manuscript itself: it announces—it divulges—the secret of its existence; the property, therefore, must be in that secret.

If the secret were in itself the result of a mental operation, such as a medical recipe, which is itself the result of invention and mental combination, it has been decided indirectly that in such a secret there is no property; for an injunction to restrain publication of such a secret (where there has been no fraud) is refused, on the ground, that, until made known, the Court cannot judge whether the defendant is publishing the particular secret, and, if made known, then all the world would have a right to use it. (*Newberry* v. *Tames*, 2 Mer. 446). This case assumes that there is no property in a medical secret; that is, no property in the mere knowledge of facts. If that be so where the knowledge of the facts is itself a mental production, how can there be property in a secret, which is not itself the result of any mental operation beyond the inevitable perception by the mind of an author that he has produced his own work?

But then it is said that the owner of property, at least of such property as literary property, is entitled to every use that can be made of it, and to prevent any one else from making any use of it without his consent; and that making a catalogue of a man's works is making a use which he himself might make of it. But, in the first place, what must be understood by a right to make every use of one's property? That right must surely be limited with reference to the proprietor's own conduct, and to the general rights of mankind. If A. de facto keeps his picture or his literary work concealed, of course no question can arise. But suppose him to hold up his picture to view, or read his work aloud at an open window while I am passing, surely no declaration on his part that he does not consent to my seeing or hearing it, can deprive me of my right to do so, or of my corresponding right to publish an account of my own acts, viz. of my having seen and heard, and of identifying what I have seen and heard? To come closer to the point of the actual case of *The Attorney-General* v. *Strange:* if the author allows his work to pass into the hands of his servant, and that servant exhibits it to me, (without, of course, my having notice of the confidence, so as to exclude the question of trust and fraud), can any absence of consent on the part of the author deprive me of my right to look, and afterwards to say that I have looked, and what I have seen? If that is the law, and on the ground of property and its incidents, then the right of property is not in the thing, but in the privacy; the right is, not to have the thing, but to conceal it. Now, there may be a *right* of privacy, and, if there is not, we should be quite ready to admit the propriety of its creation. But what we contend is, that, looking at the legal notion of *property*—looking at the common notion of property—there cannot be property in privacy; and that the right of use of one's property which consists in concealing it, or of reserving to himself the power of making its existence known, ceases the moment that, by any act or any neglect of the owner, the concealment itself de facto so far ceases as to expose the property to the perception of a stranger not bound by any trust or confidence. To extend the right beyond that would, it appears to us, be, not protecting the owner of the property in his right to every legitimate use of his property, but depriving the stranger of the right of using his powers of perception.

We are quite sure that none of our readers will suppose for an instant that our sympathies are with such an act as that of the defendant in *The Attorney-General* v. *Strange*. But it is no part of our province to comment upon it: our duty in this department of this Journal, being limited to the expression of our humble doubts, whether the legal doctrine laid down in the case under discussion is supported by principle. Neither does it fall within our strict line to observe upon the peculiarity of the order made in *The Attorney-General* v. *Strange*, for sustaining an injunction where the defendant denies the plaintiff's title, the title never having been established at law, without putting the plaintiff on terms so to establish it.

The facts of this case are peculiar; but, in general, our readers will recollect that the weight of authority is in favour of equity refusing to decide a contested legal right; sending the plaintiff to law to establish it; and sustaining the injunction in the meantime, if, as would probably be held in this case, the mischief done to the plaintiff by dissolving the injunction would be irremediable, should the plaintiff ultimately establish a legal right.

London Gazettes.

TUESDAY, JANUARY 16.

BANKRUPTS.

WILLIAM BROADY, formerly of the Eastern Wharf, Adelphi, Strand, Middlesex, coal merchant, (carrying on business under the firm of William Broady & Co.), but now residing in Halken-st. West, Belgrave-square, Middlesex, commission agent, dealer and chapman, Jan. 24 at 2, and Feb. 27 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Clarke, George-st., Mansion-house.—Fiat dated Jan. 12.

LAZARUS CONGDON, Spring-st., Paddington, Middlesex, painter and glazier, dealer and chapman, Jan. 30 at 1, and Feb. 27 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Depree, 9, Lawrence-lane, Cheapside.—Fiat dated Jan. 6.

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CHRISTOPHER JOSEPH KNAPPING, Eastwood, Essex, cattle dealer, milkman, and farmer, dealer and chapman, Jan. 23 at 1, and Feb. 23 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Chidley, 1, Guildhall-chambers, Basinghall-street, London.—Fiat dated Jan. 11.

THOMAS CARPENTER DIXON, Gravesend, Kent, oil-man, dealer and chapman, Jan. 25 at 12, and Feb. 27 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Philp, 29, Great St. Helens.—Fiat dated Jan. 9.

JOHN COLES, Launton, Oxfordshire, baker, dealer and chapman, Jan. 27 at 1, and March 3 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. Lawrence & Blews, Old Jewry-chambers.—Fiat dated Jan. 11.

EDWARD WILLIAM HUNT, now of Newgate-market, London, victualler, and formerly of James-st., Paddington, Middlesex, slater, Jan. 30 at half-past 12, and Feb. 27 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Vaughan, 69, Lincoln's-inn-fields.—Fiat dated Jan. 12.

ZEBULUN LEIGH, Manchester, tea and coffee merchant, dealer and chapman, Feb. 1 at 11, and Feb. 16 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Hitchcock, Manchester; Johnson & Co., Temple, London.—Fiat dated Jan. 11.

HORATIO KEMP, Threadneedle-st., London, discount agent, dealer and chapman, Jan. 27 at 1, and March 3 at half-past 12, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Chilcote, George-street, Mansion-house.—Fiat dated Jan. 15.

ROBERT WILLIAM HUNTER, Praed-st., Paddington, Middlesex, baker, dealer and chapman, Jan. 22 at 12, and Feb. 22 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Knight, 17, Basinghall-street.—Fiat dated Jan. 13.

WILLIAM CHILDERHOUSE the younger, late of Hartland-road, Kentish-town, but now of Montpelier-place, Montpelier-square, Brompton, Middlesex, builder, dealer and chapman, Jan. 26 at half-past 1, and March 2 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Gibbon, Great James-st., Bedford-row.—Fiat dated Jan. 15.

WILLIAM THORNLEY, Ripley, Derbyshire, grocer, Jan. 26 and Feb. 23 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Ingle, Belper.—Fiat dated Jan. 11.

WILLIAM PARROTT, Leicester, stone mason, dealer and chapman, Jan. 26 and Feb. 23 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Dibben, Leicester; Bowley, Nottingham.—Fiat dated Jan. 1.

JOHN JACKSON, Clifford, Herefordshire, farmer and cattle dealer, dealer and chapman, Jan. 31 and Feb. 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Pugh, Hay, Brecknockshire; Chaplin, Birmingham.—Fiat dated Jan. 9.

HENRY RICHARD BENBOW, Malvern Wells, Worcestershire, veterinary surgeon, dealer and chapman, Jan. 30 and Feb. 27 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy: Sol. Bloxham, Birmingham.—Fiat dated Jan. 12.

DANIEL BOIT, Bristol, sharebroker, Jan. 13 and Feb. 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Crosby, Bristol; Jay, 15, Serjeant's-inn, Fleet-street, London.—Fiat dated Jan. 12.

JOHN MENHENITT, Plymouth, Devonshire, builder, Jan. 25 at 1, and Feb. 20 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Kelly, Plymouth; Stogdon, Exeter; Harris, 5, Stone-buildings, Lincoln's-inn, London.—Fiat dated Jan. 6.

ROBERT LODGE, Starbottom, Kettlewell, West Riding of Yorkshire, miner, dealer and chapman, Jan. 29 and Feb. 19 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Watson, Sedbergh; Bell, Leeds; Bell & Co., Bow-churchyard, London.—Fiat dated Jan. 6.

WILLIAM GARRET, Newcastle-upon-Tyne, bookseller, Jan. 24 at half-past 1, and Feb. 22 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Jobling & Fleming, Newcastle-upon-Tyne; Birkett & Son, 3, Cloak-lane, London.—Fiat dated Jan. 4.

WILLIAM ADAM MASSEY, Liverpool, wood turner and dealer in fancy goods, Jan. 29 and Feb. 26 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Brabner, Liverpool; Chester & Co., Staple-inn, London.—Fiat dated Jan. 9.

JOHN SERJEANT, otherwise JOHN NEWTON SERJEANT, Worksop, Nottinghamshire, grocer, dealer and chapman, Feb. 3 and March 3 at half-past 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Branson & Son, Sheffield; Moss, Serjeant's-inn, London.—Fiat dated Jan. 4.

Meetings.

Alexander Haig, Smith-street, Jubilee-place, Stepney, and Essex-st., Cambridge-road, Mile-end, Middlesex, engineer, Jan. 27 at half-past 1, Court of Bankruptcy, London, last ex.—*W. S. Clarke*, Dorking, Surrey, printer, Jan. 27 at 12, Court of Bankruptcy, London, last ex.—*T. Robson*, Houghton-le-Spring, Durham, tailor, Feb. 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Thorman*, Grosvenor-street, Camberwell, Surrey, wholesale tea dealer, Feb. 9 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. Fabian Wills*, Portsmouth, Southampton, wharfinger, Feb. 13 at 1, Court of Bankruptcy, London, aud. ac.—*Jos. Hindmarsh*, Liverpool, woollen draper, Feb. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Atkins*, Liverpool, brewer, Feb. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Bolton*, Liverpool, share broker, Feb. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Absalom Humphreys*, Liverpool, shoemaker, Feb. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Breakenridge*, Liverpool, tailor, Feb. 12 at 12, District Court of Bankruptcy, Liverpool, aud. ac —*James Waddell*, Liverpool, wine merchant, Feb. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Christian*, Liverpool, ship smith, Feb. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Roberts*, Denbigh, Denbighshire, innkeeper, Feb. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Feb. 12 at 11, div.—*Joseph Wenman*, Birkenhead, Cheshire, wine merchant, Feb. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John France Fletcher* and *Henry Fletcher*, Over Darwen, near Blackburn, Lancashire, cotton manufacturers, Feb. 8 at 11, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 9 at 12, div.—*Geo. Cradock*, Darlington, Durham, rope maker, Feb. 8 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James Bell*, South Shields, Durham, ship broker, Feb. 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Sophy West*, widow, Hornchurch, Essex, saddler, Feb. 6 at 11, Court of Bankruptcy, London, div.—*Charles Fred. Smyrk*, Lavina-grove, Wharf-road, Middlesex, builder, Feb. 9 at 12, Court of Bankruptcy, London, div.—*James Roberts*, Liverpool, ironmonger, Feb. 12 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Hignett*, Liverpool, tobacconist. Feb. 8 at 11, District Court of Bankruptcy, Liverpool, div.—*John Swale Manby*, Burnley, Lancashire, ironmonger, Feb. 9 at 11, District Court of Bankruptcy, Manchester, div.—*Wm. B. Briddick*, Durham, dealer in iron, Feb. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph Colin Fletcher, Trafalgar-road, Greenwich, Kent, coal merchant, Feb. 9 at 12, Court of Bankruptcy, London.—*Wm. Collard*, Ramsgate, Kent, baker, Feb. 7 at 11, Court of Bankruptcy, London.—*Thomas Williams*, Jermyn-street, St. James, Westminster, Middlesex, licensed victualler, Feb. 7 at 11, Court of Bankruptcy, London.—*F. W. M. Collins* and *Alfred Reynolds*, Charter-house-square, Aldersgate-street, Middlesex, engravers, Feb. 13 at 12, Court of Bankruptcy, London.—*Henry M. Wells*, Ramsgate, Kent, baker, Feb. 13 at 11, Court of Bankruptcy, London.—*John Thorman*, Grosvenor-street, Camberwell, Surrey, wholesale tea dealer, Feb. 9 at 11, Court of Bankruptcy, London.—*James Fabian Wills*, Portsmouth, Southampton, wharfinger, Feb. 13 at 1, Court of Bankruptcy, London.—*John Hogg*, Walcot, Somersetshire, draper, Feb. 8 at 12, District Court of Bankruptcy, Bristol.—*Wm. Couch* and *John D. Couch*, Swansea, Glamorganshire, sail makers, Feb. 15 at 11, District Court of Bankruptcy, Bristol.—*John Edw. Bacon*, Upper Russell-street, Bermondsey, and Maismore-square, New Peckham, Surrey, leather factor, Feb. 9 at 1, Court of Bankruptcy, London.—*Wm. Carpenter*, Liverpool, shipowner, Feb. 9 at 11, District Court of Bankruptcy, Liverpool.—*John Ridgway*, Liverpool, merchant, Feb. 9 at 11, District Court of Bankruptcy, Liver-

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pool.—*Alfred Johnson*, Liverpool, licensed victualler, Feb. 9 at 11, District Court of Bankruptcy, Liverpool.—*A. Powell*, Little Hay, Shenstone, Staffordshire, engineer, Feb. 14 at 12, District Court of Bankruptcy, Birmingham.—*Thos. Wright*, Hanley, Staffordshire, tailor, Feb. 10 at 12, District Court of Bankruptcy, Birmingham.—*George Hardon*, Preston, Lancashire, joiner, Feb. 8 at 11, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 6.

James B. Murphy, Derby, carver.—*Adam Armstrong*, Salford, Lancashire, ironmonger.—*Wm. Tanner* and *John Ward*, Leadenhall-place and Leadenhall-market, London, leather factors.—*Joseph Feeny*, Liverpool, hotel keeper.—*Geo. Cowsill*, Pitkington, Prestwick-cum-Oldham, Lancashire, calico printer.—*Richard V. Furlong*, Cambray, Cheltenham, Gloucestershire, wine merchant.—*Henry Glynn*, Liverpool, broker.—*Moses Preston*, Wakefield, Yorkshire, surgeon.—*Henry Buckland*, Charles-street, Manchester-sq., Middlesex, cabinet maker.—*Wm. Tench*, Winlaton, Durham, grocer.—*George Banks*, Lymington, Hampshire, builder.—*Nathaniel Denton*, Gorton, Lancashire, hat manufacturer.—*Jas. Carter*, Swaffham Bulbeck, Cambridgeshire, grocer.—*Adam Jessop*, Dewsbury, Yorkshire, auctioneer.—*Betty Crankshaw* and *Jas. Crankshaw*, Higher Booths, Whalley, Lancashire, cotton spinners.

FIAT ANNULLED.

Wm. Mawer, Low Team, near Gateshead, Durham, banker.

PARTNERSHIPS DISSOLVED.

Wm. Jacobson and *Thos. Phillips*, Plymouth, Devonshire, attornies, solicitors, and conveyancers.—*Edward Bloxome* the younger and *Alfred Jackson*, Dursley, Gloucestershire, attornies at law and solicitors.—*John M. Robinson* and *Thomas Ingram*, Leicester, attornies, solicitors, and conveyancers.—*George Chas. Fletcher* and *James B. Roberts*, Wandsworth, Surrey, attornies at law and solicitors.

SCOTCH SEQUESTRATIONS.

James Young, Woodside, near Kilwinning, Ayrshire, grain dealer.—*John Miller*, deceased, Crieff, yarn dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Henley, Exeter, out of business, Feb. 2 at 10, County Court of Devonshire, at Exeter.—*John Fox Warner*, Wolverhampton, Staffordshire, schoolmaster, Jan. 22 at 12, County Court of Staffordshire, at Wolverhampton.—*Henry Butler*, Birmingham, carrier's clerk, Jan. 27 at 2, County Court of Warwickshire, at Birmingham.—*William Shilton*, Handsworth, Staffordshire, out of business, Jan. 27 at 2, County Court of Warwickshire, at Birmingham.—*Samuel Waterfield*, Sutton Coldfield, Warwickshire, bricklayer, Jan. 27 at 2, County Court of Warwickshire, at Birmingham.—*Thos. Tutin* the younger, Birmingham, butcher, Jan. 27 at 2, County Court of Warwickshire, at Birmingham.—*John Gray*, West Derby, Lancashire, nurseryman, Jan. 22 at 10, Liverpool District County Court, at Liverpool.—*Geo. Cooper* the younger, Leading Post-street, Yorkshire, clock maker, Jan. 25 at 10, County Court of Yorkshire, at Scarbro'.—*Thomas Wm. Nichols*, Lower Tranmere, Cheshire, painter, Jan. 19 at 10, County Court of Cheshire, at Birkenhead.—*John Pearse* the younger, Bampton, Devonshire, saddler, Feb. 15 at 10, County Court of Devonshire, at Tiverton.—*H. Whitworth*, Bingham, Nottinghamshire, out of business, Feb. 9 at 9, County Court of Nottinghamshire, at Bingham.—*Chas. Ley* the younger, Nottingham, cooper, Feb. 8 at 9, County Court of Nottinghamshire, at Nottingham.—*Thos. Edw. Carpenter*, West Teignmouth, Devonshire, out of business, Jan. 27 at 11, County Court of Devonshire, at Newton Abbot.—*Maria Buxton*, widow, Dudley, Worcestershire, licensed victualler, Jan. 26 at 3, County Court of Worcestershire, at Dudley.—*Epaphras Seage*, Exeter, whitesmith, Feb. 2 at 10, County Court of Devonshire, at Exeter.—*Robert Ware*, Exeter, out of business, Feb. 2 at 10, County Court of Devonshire, at Exeter.—*George Butler*, Darlaston, Staffordshire, beer-shop keeper, Jan. 29 at 12, County Court of Staffordshire, at Walsall.—*Henry Cresswell*, Creech, St. Michael, Somersetshire, clerk, Feb. 8 at 10, County Court of Somersetshire, at Taunton.—*Rich. Kelsall*, Burslem, Staffordshire, fishmonger, Jan. 25 at 10, County Court of Staffordshire, at Hanley.—*John Thos. K. Sloan*, Manchester, comedian, Jan. 26 at 11, County Court of Lancashire, at Manchester.—*Ralph Lomas*, Manchester, retail beer seller, Jan. 26 at 11, County Court of Lancashire, at Manchester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 30 *at* 11, *before the* CHIEF COMMISSIONER.

Robert Hicks the younger, Lower Belgrave-st., Eaton-sq., Pimlico, Middlesex, clerk in the Stamp-office, Somerset-house.—*Daniel Ford*, Macclesfield-street South, City-road, Middlesex, watch movement maker.

Jan. 30 *at* 11, *before Mr. Commissioner* HARRIS.

John Marchant, White-st., Bethnal-green-road, Middlesex, silk manufacturer.

Jan. 30 *at* 10, *before Mr. Commissioner* LAW.
Adjourned.

John H. Whiteman, Great Queen-st., Lincoln's-inn-fields, Middlesex, engraver.

Feb. 1 *at* 11, *before the* CHIEF COMMISSIONER.

Theophilus Forster, Crozier-street, Stangate, Lambeth, Surrey, comedian.

Feb. 1 *at* 11, *before Mr. Commissioner* PHILLIPS.

Stephen E. Stapleton the elder, Road-side North, Mile-end-road, Middlesex, tin plate worker.—*Martin Jackson*, Edwards-place Nursery, Kensington, nurseryman.

Feb. 1 *at* 10, *before Mr. Commissioner* LAW.

Nicholas Dunstan, Augustus-st., Regent's-park, Middlesex, omnibus conductor.—*G. Skellern*, Meard's-court, Wardour-street, Soho, Middlesex, tailor.

Saturday, Jan. 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Copland, Great Dunham, Norfolk, miller, No. 70,304 C.; George Jay, assignee.—*Thomas Sheath*, Birmingham, currier, No. 69,957 C.; Henry Branscombe, assignee.—*Geo. Duckworth*, Saint Helen's, Lancashire, stone mason, No. 70,410 C.; Robert Brunskill, assignee.—*Edw. Taft*, Northampton, statuary mason, No. 70,316 C.; Henry Billington Whitworth, assignee.

Saturday, Jan. 13.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—
(On their own Petitions).

Geo. Cocks, High-street, Wandsworth, Surrey, grocer: in the Queen's Prison.—*Henry Jenkins*, Pond-lane, Clapton, Middlesex, not in any trade or profession: in the Queen's Prison.—*John Myers*, Baldwin-street, City-road, Middlesex, cigar dealer: in the Debtors Prison for London and Middlesex.—*Wm. Deal*, Henry-st., Pentonville, Middlesex, watch maker: in the Debtors Prison for London and Middlesex.—*Robert Gill*, Dove-place, Goldsmith-row, Hackney-road, Middlesex, general shopkeeper: in the Debtors Prison for London and Middlesex.—*Edward L. Isaacs*, Great Prescott-street, Goodman's-fields, Middlesex, watch maker: in the Debtors Prison for London and Middlesex.—*Wolf Shriener*, Duke-st., Grosvenor-square, Middlesex, dealer in curiosities: in the Debtors Prison for London and Middlesex.—*Sam. W. Nathan*, Bishopsgate-street-without, London, cane merchant: in the Debtors Prison for London and Middlesex.—*Henry Crowther*, Harrow-rd., Paddington, Middlesex, cabinet maker: in the Queen's Prison.—*Hen. James Story*, Northumberland-court, Saint Martin in the Fields, Westminster, Middlesex, in no trade or profession: in the Queen's Prison.—*Sam. Lench* the younger, Liverpool-st., London, japanner: in the Queen's Prison.—*Edwin J. Kempster*, Addington-square, Camberwell, Surrey, carpenter: in the Gaol of Horsemonger-lane.—*John Jones*, Tredegar Iron Works, Monmouthshire, labourer: in the Gaol of Monmouth.—*Johann Henrich Schütt*, Plymouth, Devonshire, commercial traveller: in the Gaol of St. Thomas the Apostle.—*Wm. Bailey*, Salford, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Wm. Clapham*, Liverpool, butcher: in the Gaol of Lancaster.—*Henry P. Crewe*, Lower

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Cockcroft, Blackburn, Lancashire, hatter: in the Gaol of Lancaster.—*Samuel Pugh*, Lammas-street, Carmarthenshire, saddler: in the Gaol of Carmarthen.—*Geo. Bennett*, Privett, Southamptonshire, tailor: in the Gaol of Winchester.—*Wm. Bracewell*, Lanshau-bridge, near Colne, Lancashire, butter factor: in the Gaol of Lancaster.—*Wm. Chawner*, Birmingham, out of business: in the Gaol of Coventry.—*Nicholas A. Dubois*, Brighton, Sussex, confectioner: in the Gaol of Lewes.—*Chas. D. Hope*, Manchester, general agent: in the Gaol of Lancaster.—*Timothy Manchester*, Bickerstaffe, near Ormskirk, Lancashire, publican: in the Gaol of Lancaster.—*John Shutt*, Woodside, Birkenhead, near Liverpool, lodging-house keeper: in the Gaol of Lancaster.—*Thomas Theakston*, Azerley, near Ripon, Yorkshire, farmer: in the Gaol of York.—*David Williams*, Liverpool, publican: in the Gaol of Lancaster.—*Hugh Boyd*, Ardwick, Manchester, engraver: in the Gaol of Lancaster.—*Thomas Bradshaw*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Jos. Clegg*, Lancaster, licensed victualler: in the Gaol of Lancaster.—*Wm. France*, Preston, Lancashire, provision shopkeeper: in the Gaol of Lancaster.—*Geo. Pinch* the younger, Saint Stephens, Branwell, Cornwall, innkeeper: in the Gaol of Bodmin.—*George Wait*, Warwick, grazier: in the Gaol of Warwick.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 30 *at* 10, *before Mr. Commissioner* LAW.

George Smeed, Saint Andrew's-hill, Doctor's-commons, London, licensed victualler.

Jan. 31 *at* 10, *before Mr. Commissioner* LAW.

Solomon Marks, Great Prescott-street, Goodman's-fields, Middlesex, print seller.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Feb.* 2 *at* 10.

Henry Drury, Plymouth, lieutenant in her Majesty's Royal Marines.—*John C. Heathman*, Plymouth, paymaster in her Majesty's Royal Navy, on half-pay.—*John Matthews*, Babbicombe, Tormoham, mason.

Feb. 16, *at the same hour and place.*

Johann Heinrich Schütt, Plymouth, out of business.

At the County Court of Carmarthenshire, at CARMARTHEN, *Jan.* 29 *at* 10.

Sam. Pugh, Carmarthen, saddler.

At the County Court of Somersetshire, at TAUNTON, *Feb.* 8.

Colthurst Bateman, Weston-super-mare, in no way of business.—*Thos. W. Bush*, Charmouth, near Lyme Regis, in no way of business.—*Chas. G. O'Brien*, Ditch Farm, Stringston, near Stowey, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

James Hamilton, Devonshire-terrace, Stepney, Middlesex, chief mate in the East India Company's Service: 3*s.* 9*d.*, (making 20*s.* in the pound).—*William Oastler*, North Allerton, Yorkshire, surgeon: 4*s.* 9¾*d.*, (making 16*s.* 7¾*d.* in the pound).—*John Moss*, Long Eaton, Derbyshire, labourer: 9*s.* 5*d.* in the pound.—*Thos. S. Davies*, South Charlton, Kent, mathematical master in the Military Academy at Woolwich: 4*s.* 10*d.* in the pound.—*Rich. Hailwood*, Hulme, Manchester, grocer: 1*s.* 5*d.* in the pound.—*Morris Paddon*, Albany-road, Camberwell, Surrey, clerk in the General Post Office: 5*s.* 10*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

FRIDAY, JANUARY 19.

BANKRUPTS.

JAMES CRISP the younger, Beccles, Suffolk, corn, coal, and seed merchant, dealer and chapman, Jan. 31 and March 1 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Beckwith & Co., Norwich; Clarke & Co., Lincoln's-inn-fields, London.—Fiat dated Jan. 11.

JAMES CONNELL, Stanisby-road, East India-road, Poplar, Middlesex, timber merchant, Jan. 27 at 12, and March 1 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Taylor, 17, Pavement, Finsbury-square.—Fiat dated Jan. 17.

JOHN GAMBLE, Whitecross-street, St. Luke's, Middlesex, licensed victualler, Jan. 25 at 12, and March 5 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Martineau, Raymond-buildings, Gray's-inn, London.—Fiat dated Jan. 15.

RICHARD FOX, Derby, stock and share dealer, dealer and chapman, Feb. 2 and March 9 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Perry & Smith, Nottingham.—Fiat dated Jan. 9.

DANIEL BOIT, Bristol, sharebroker, Jan. 30 and Feb. 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Crosby, Bristol; Jay, 15, Serjeants-inn, Fleet-street, London.—Fiat dated Jan. 12.

CHARLES MADDOX the elder, Llangwin, Monmouthshire, wood and timber dealer, dealer and chapman, Feb. 1 and March 1 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Sabine, Bristol; Trehern & White, London.—Fiat dated Jan. 11.

CHARLES REEVES, Bath, Somersetshire, marble mason and statuary, dealer and chapman, Jan. 30 and Feb. 27 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Skurray, Bath; G. & C. Smith, Southampton-buildings.—Fiat dated Jan. 16.

JOHN HOLLEY, Norton Saint Philip, Somersetshire, miller, dealer and chapman, Jan. 30 and Feb. 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Abbot, Bristol; Jones & Blaxland, Crosby-square.—Fiat dated Jan. 16.

JOSEPH REES PRICE, Aberdare Iron-works, Glamorganshire, druggist, stationer, and bookbinder, dealer and chapman, Feb. 5 and March 5 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Phillpotts, Cardiff.—Fiat dated Jan. 16.

EDWARD BURNELL the younger, Hanham, Bitton, Gloucestershire, cattle and sheep dealer, dealer and chapman, Feb. 1 at half-past 11, and March 1 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Taddy, Bristol; Clark & Co., Lincoln's-inn-fields, London.—Fiat dated Jan. 16.

JAIRUS JOEL CARTWRIGHT, Wakefield, Yorkshire, corn merchant, dealer and chapman, Feb. 5 and 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Witham, Wakefield; Courtenay, Leeds; Clarke, Southampton-buildings, London.—Fiat dated Jan. 16.

JOSEPH HOLT, Eccleston, near St. Helen's, Lancashire, provision dealer, dealer and chapman, Feb. 2 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Green, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated Jan. 12.

JAMES KYRKE, Glascoed, Denbighshire, lime burner, dealer and chapman, Jan. 31 and Feb. 21 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. James & Owen, Wrexham; Evans & Son, Liverpool; Raimondi & Tagart, Lincoln's-inn-fields, London.—Fiat dated Jan. 15.

EDMUND GRUNDY, Great Bolton, Lancashire, grocer, tea and provision dealer, dealer and chapman, Feb. 2 and 22 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Richardson & Marsland, Bolton; Wood, 43, Lincoln's-inn, London.—Fiat dated Jan. 12.

MEETINGS.

Thos. Mannington, Brighton, Sussex, tobacconist, Feb. 9 at 11, Court of Bankruptcy, London, aud. ac.—*Hen. Rogers*, Southampton, draper, Feb. 9 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. E. H. Guillaume*, Botley, Southampton, timber merchant, Feb. 12 at half-past 12, Court of Bankruptcy, London.—*Charles Allen*, St. Ives, Cornwall, ironmonger, Feb. 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Chas. Warren*, Teignmouth, Devonshire, wine merchant, Feb. 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Solomon Flatow*, Leeds, Yorkshire, jeweller, Feb. 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Robert Macoun*, Bolton, Lancashire, cotton spinner, Feb. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 13 at 12, div.—*Wm. Knight*, Manchester, share broker, Feb. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 13 at 12, div.—*Thos. Wrigley*, Halifax, Yorkshire, silk waste spinner, Feb. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 13 at 12, div.—*Jas. Jackson Ferens* and *Robinson Ferens*, Durham, drapers, Feb. 13 at half-past 10, District Court of Bankruptcy, Newcastle-

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upon-Tyne, and. ac.—*Thomas Rowell*, Hartlepool, Durham, merchant, Feb. 13 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. — *William Todd*, Whitehaven, Cumberland, ironmonger, Feb. 13 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Geo. Fletcher*, Egremont, Cumberland, tanner, Feb. 13 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Robert Armstrong*, Newcastle-upon-Tyne, shipwright, Feb. 13 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Jos. Trewick* the younger, Newcastle-upon-Tyne, draper, Feb. 13 at half-past 2, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thos. Seddon* and *Geo. Seddon*, Calthorpe-pl., Gray's-inn-road, Middlesex, upholsterers, Feb. 12 at half-past 11, Court of Bankruptcy, London, div.—*Chas. Lewis*, Stangate-st., Lambeth, Surrey, tin plate manufacturer, Feb. 9 at half-past 12, Court of Bankruptcy, London, div.—*Henry Rogers*, Southampton, draper, Feb. 9 at 12, Court of Bankruptcy, London, div.—*Peter James Kirby*, Newgate-st., London, pin manufacturer, Feb. 9 at 12, Court of Bankruptcy, London, div.—*Jonathan Geo. Moon*, Langbourne-chambers, Fenchurch-st., London, merchant, Feb. 9 at 12, Court of Bankruptcy, London, div.—*John Mandeno*, Grove-st., Hackney, Middlesex, market gardener, Feb. 13 at 1, Court of Bankruptcy, London, div.—*Joseph W. Welborne*, Albemarle-st., Piccadilly, Middlesex, silk mercer, Feb. 9 at 1, Court of Bankruptcy, London, div.—*Jas. Walton*, Great Bridge, Staffordshire, ironfounder, Feb. 10 at 12, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. F. Thomas, Princes-street, Hanover-sq., Middlesex, tailor, Feb. 9 at 12, Court of Bankruptcy, London.—*Henry Newson*, Norwich, grocer, Feb. 12 at 11, Court of Bankruptcy, London.—*William Edward H. Guillaume*, Botley, Southampton, timber merchant, Feb. 12 at half-past 12, Court of Bankruptcy, London.—*Hen. Rogers*, Southampton, draper, Feb. 9 at 12, Court of Bankruptcy, London.—*Elizabeth Widdowson*, Dover-street, Piccadilly, Middlesex, lodging-house keeper, Feb. 9 at 11, Court of Bankruptcy, London.—*James Thomas*, Newport, Monmouthshire, apothecary, Feb. 13 at 11, District Court of Bankruptcy, Bristol.—*Thomas Rowell*, Hartlepool, Durham, merchant, Feb. 13 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Michael Wilson*, Leeds, Yorkshire, grocer, Feb. 12 at 1, District Court of Bankruptcy, Leeds.—*Leonard Thompson*, Hilltop, West Bromwich, Staffordshire, coach-spring maker, Feb. 10 at 12, District Court of Bankruptcy, Birmingham.—*Francis Bassano*, Aston, near Birmingham, coach founder, Feb. 13 at 10, District Court of Bankruptcy, Birmingham.—*Henry Moseley*, Derby, carver, Feb. 9 at 11, District Court of Bankruptcy, Nottingham.—*Henry Pratt*, Kempsey, Worcestershire, miller, Feb. 13 at 10, District Court of Bankruptcy, Birmingham.—*Thos. Parsons*, Snenton, Nottinghamshire, out of business, Feb. 9 at 11, District Court of Bankruptcy, Nottingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 9.

James Wait, Bristol, stock broker.—*Jos. Wilson*, Green's-end, Woolwich, Kent, grocer.—*Andrew Smith*, Shrewsbury, Shropshire, dealer in marine stores.—*S. G. Fryman*, Rye, Sussex, wine merchant.—*Mary Norgate*, Tavistock-villas, Tavistock-square, St. Pancras, Middlesex, schoolmistress.—*Noah Hingley*, Cradley, Worcestershire, and Liverpool, chain trace manufacturer.—*James Norton*, Johnstone, and Paisley, Renfrewshire, manufacturer.—*Charles Pottinger*, Banbury, Oxfordshire, tailor.—*Eliz. M. Headland*, Harley-street, Cavendish-square, Middlesex, lodging-house keeper.

FIAT ANNULLED.

Edward Pinder, High-street, Camden-town, Middlesex, chemist and druggist, dealer and chapman, (trading under the style or firm of Pinder & Co.).

SCOTCH SEQUESTRATIONS.

Wm. G. Green, Glasgow, merchant.—*James Buchanan*, Glasgow, commission merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Banks, Shelton, Stoke-upon-Trent, Staffordshire, plumber, Jan. 25 at 10, County Court of Staffordshire, at Hanley.—*Wm. Watkin*, Longton, Staffordshire, potter, Jan. 25 at 10, County Court of Staffordshire, at Hanley.—*Alex. Martin*, Southampton, painter, Feb. 2 at 10, County Court of Hampshire, at Southampton.—*James Woodward*, Evesham, Worcestershire, cattle dealer, Feb. 16 at 1, County Court of Worcestershire at Evesham.—*Wm. Plumb*, Lincoln, butcher, Feb. 9 at 12, County Court of Nottinghamshire, at Newark-upon-Trent. — *Richard Geere*, Newhaven, Sussex, surgeon, Jan. 30 at 2, County Court of Sussex, at Lewes.—*Geo. Boniface*, Plumer's Plain, Crossways, Lower Beeding, near Horsham, Sussex, retailer of beer, Jan. 23 at 12, County Court of Sussex, at Horsham.—*Edward Jones*, Newbridge, Glamorganshire, victualler, Feb. 12 at 10, County Court of Glamorganshire, at Cardiff.—*Alexander Tranter*, Dudley, Worcestershire, tailor, Jan. 26 at 3, County Court of Worcestershire, at Dudley.—*Stephen Nicholls*, Redruth, Cornwall, licensed victualler, Feb. 16 at 10, County Court of Cornwall, at Redruth.—*John Wadsworth*, Sheffield, Yorkshire, joiner and builder, Feb. 7 at 10, County Court of Yorkshire, at Sheffield.—*Thomas Middleton*, Sheffield, Yorkshire, powder flask maker, Feb. 7 at 10, County Court of Yorkshire, at Sheffield.—*Carl Gotschke*, Sheffield, Yorkshire, comb manufacturer, Feb. 7 at 10, County Court of Yorkshire, at Sheffield.—*Joseph Mycock*, Sheffield, Yorkshire, razor manufacturer, Feb. 7 at 10, County Court of Yorkshire, at Sheffield.—*Thos. Hudson*, Ramsgate, Kent, coach proprietor, Jan. 24 at 10, County Court of Kent, at Ramsgate.—*Jos. Friend*, Ramsgate, Kent, ginger beer manufacturer, Jan. 24 at 10, County Court of Kent, at Ramsgate.—*Charles Lawrence*, Ramsgate, Kent, painter, Jan. 24 at 10, County Court of Kent, at Ramsgate.—*John Watson*, Ramsgate, Kent, baker, Jan. 24 at 10, County Court of Kent, at Ramsgate.—*Samuel Turner*, Hawkchurch, Dorsetshire, baker, Feb. 12 at 10, County Court of Devonshire, at Axminster.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 5 *at* 11, *before the* CHIEF COMMISSIONER.

Jos. Mannell, Millpond-street, Bermondsey, cheesemonger.

Feb. 5 *at* 11, *before Mr. Commissioner* PHILLIPS.

Thomas Williams, Wellington-st., Woolwich, Kent, boot maker.—*Wm. J. Caldwell*, Walcot-place, Lambeth, Surrey, civil engineer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 3 *at* 11, *before Mr. Commissioner* PHILLIPS.

Ben. Skinner, New-street, Broad-st., Golden-sq., Middlesex, out of business.

Adjourned.

Chas. E. Ranney, Phœnix-place, Blackheath, Kent, commission agent.

Feb. 5 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. H. Hanson, Yeoman's-terrace, Brompton, Middlesex, commission agent.—*Charles Barnard* the elder, Wood-street, Cheapside, London, baker.—*Geo. Sheppard*, Canterbury-st., York-road, Lambeth, Surrey, cook in her Majesty's household.

Feb. 5 *at* 11, *before Mr. Commissioner* HARRIS.

James Pearce, Turnford, near Cheshunt, Hertfordshire, fruiterer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Huntingdonshire, at HUNTINGDON, *Feb.* 6 *at* 2.

James Bishop, Ramsey, labourer.

At the County Court of Leicestershire, at LEICESTER, *Feb.* 15.

John Goodacre, Loughborough, out of business.—*John Adcock*, Stoney Stanton, near Hinckley, framework knitter.

At the County Court of Monmouthshire, at MONMOUTH, *Feb.* 16 *at* 11.

John Jones, Tredegar Iron Works, labourer.

At the County Court of Gloucestershire, at BRISTOL, *Feb.* 7 *at* 11.

Sarah Rees, Bristol, licensed victualler.

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At the County Court of Lancashire, at LANCASTER, *Feb.* 2 *at* 10.

John Knowles, Cowling, labourer.—*Wm. Clapham*, Liverpool, wholesale butcher.—*Hen. P. Crewe*, Blackburn, out of business.—*Chas. D. Hope*, Manchester, general agent.—*Jos. Clegg*, Manchester, out of business.—*Thos. Bradshaw*, Manchester, out of business.—*P. Anderson*, Manchester, baker.—*Thos. Saxton*, Heaton Norris, labourer.—*Mary Evans*, Manchester, lodging-house keeper.—*Hugh Boyd*, Manchester, butcher.—*Rich. Fleet*, Ashton-under-Lyne, out of business.—*John Edmundson*, Manchester, out of business.—*R. Evans*, Manchester, assistant to a beer seller.—*James Marsden*, Clitheroe, shoe maker.—*Wm. Ashton*, Manchester, butcher.—*David Williams*, Liverpool, cart owner.—*John Shutt*, Birkenhead, near Liverpool, out of business.—*Jas. Whitaker*, Green Bank, near Saint Helen's, bookkeeper.

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LONDON, JANUARY 27, 1849.

Several questions have arisen on the construction of the proviso in Lord Denman's Act, (6 & 7 Vict. c. 85), whereby it is declared, that parties to any suit "individually named in the record," or persons "in whose immediate and individual behalf any action may be brought or defended, either wholly or in part," are *not to* be rendered competent by the operation of the statute.

With regard to the first branch of this proviso, it has been decided, that a prochein amy is not "a party to the suit, individually named in the record;" and, therefore, that he is a competent witness for the plaintiff, as the remaining objection, on the ground of interest by his liability for the costs, is taken away by the enacting clause of the statute. (*Sinclair* v. *Sinclair*, 13 Mee. & W. 640). A prochein amy is simply a party appointed by the Court to look after the interests of the infant and to manage the suit for him. He has a control over the cause, and is liable for the costs; but, in other respects, he resembles the attorney for the party to the cause. The admissions of a prochein amy or guardian are not evidence against the infant plaintiff or defendant; (*Eggleston* v. *Speke*, 3 Mod. 258; *Cowling* v. *Ely*, 2 Stark. N. P. C. 366; *Webb* v. *Smith*, Ry. & M. 106); which is an additional proof, if any were required, of the absence of that identity of interest which prevails among co-plaintiffs or co-defendants. The relation existing between a prochein amy and his infant client was fully considered in the case of *Morgan* v. *Thorne*, (7 Mee. & W. 310).

The test of a witness being a person "in whose immediate or individual behalf the action is brought or defended" appears to be, would his declarations be receivable against the party on whose behalf he is called to give evidence? On the trial of an action for money had and received, it appeared that the plaintiff, after having deposited an omnibus with the defendant (an auctioneer) for sale, sold it to a man named Smith. The defendant, however, on the next day, sold it by auction to another party for a higher price; and the plaintiff sought to recover this sum from him. On the other hand, Smith claimed the money; and he, being called as a witness for the defendant, said on the voir dire, "I indemnified the defendant: the defendant said at first he would defend the action; I said, 'I will share the loss.'" His evidence was held to be admissible. (*Sage* v. *Robinson*, 12 Jur. 1054). Parke, B., observed, "In order to shew this witness incompetent, I think you must make out that he has such a joint interest in the subject-matter of the action as would render declarations of his, evidence against the defendant. Now, certainly, since the 6 & 7 Vict. c. 85, the merely giving an indemnity against costs does not identify a man with an action so as to let in his declarations; and the question, therefore, is, has there been an agreement between this witness and the defendant jointly to employ the attorney and defend this action?"

Another test, mentioned by Pollock, C. B., was, whether, under the old law, the witness would have required a release to make him competent? If he would, the object of the statute was to render him competent without the expense of a release. The following was also suggested in argument as a test:—Would the witness be *immediately* affected by the verdict? If he would not, and another suit would be required to be instituted to render him liable in consequence of the verdict, he should be admitted as a witness. In accordance with the decision in this case, and with the

NEWSPAPER

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last-mentioned test of the application of the statute, had been the judgment of the Court of Common Pleas, in *Hill* v. *Kitching*, (3 C. B. 299). In that case, a shipbroker sought to recover commission from a shipowner, for having procured a charterparty to be made with him. A witness called for the plaintiff stated on the voir dire, that he had introduced the owner to the broker; that he had nothing to do with the negotiation, and had no claim on the owner, but that he expected, pursuant to arrangement and to custom among brokers, to receive half the amount of the commission which the plaintiff might recover in the action. He was held to be a competent witness, and not one "in whose immediate or individual behalf" the action was brought. Tindal, C. J., observed, that if it had appeared the plaintiff had made over to the witness a moiety of the commission, then he would not have been competent; but that it was not so; and that the witness, though he claimed a moiety under a distinct and separate agreement with the plaintiff, had no right to lay his hand upon any portion of the money to be recovered in the action. Maule, J., stated the meaning of the proviso to be, that no person who was the formal plaintiff on the record should be called as a witness; nor any person who, though not the formal plaintiff, was yet substantially so. And the instance put by his Lordship was that of a man assigning a bond and suing the obligor on behalf of the assignee: the latter would be a person in whose immediate and individual behalf the action was brought; and, therefore, not an admissible witness. It had been previously held, at Nisi Prius, by Parke, B., and Wightman, J., that, in an action against a sheriff for not taking a defendant on a ca. sa., the sheriff's officer to whom the warrant had been granted on the writ was a competent witness for the defendant, under 6 & 7 Vict. c. 85. (*Wilson* v. *Magnay*, 1 Car. & K. 291; *Wheeler* v. *Senior*, Id. 293). The officer in such case can be made liable to the sheriff only through the medium of another action. On these two last cases, however, being cited in *Sage* v. *Robinson*, Alderson, B., said they had since been questioned.

We should not omit to notice the case of *Hearne* v. *Turner*, (2 C. B. 535), which was an action of trover for two promissory notes. The defendant pleaded, that, before the plaintiff was possessed of the notes, one Mytton was possessed of them, and had been defrauded thereof by parties who wrongfully delivered them to the plaintiff; whereupon the defendant, as Mytton's agent, and by his authority, took the notes from the plaintiff. Mytton was called for the defendant, and having stated on the voir dire that he had not indemnified the defendant, and that he had nothing whatever to do with the action, was held admissible, under 3 & 4 Will. 4, c. 43, s. 26, and 6 & 7 Vict. c. 85; and, indeed, it seems he would have been so at common law.

Since 6 & 7 Vict. c. 85, it appears that a bankrupt is a competent witness to prove the petitioning creditor's debt, or act of bankruptcy, or any fact to support the fiat. (*Udal* v. *Watson*, 14 Mee. & W. 254).

The act expressly excepts as a witness "the landlord or other person in whose right any defendants in replevin may make cognisance;" and it was held applicable to the exclusion of the landlord, although the defendant gave no evidence to sustain the cognisance, in which such landlord was mentioned, and offered to abandon it. (*Girdlestone* v. *M'Gowram*, 1 C. & K. 702). It should have been abandoned before the trial.

POINTS ON THE LAW AND PRACTICE OF INJUNCTIONS.

(*Continued from Vol.* 12, *p.* 515).

Principles on which the Court acts in aid of a legal Right.]—It is a well-settled doctrine, that equity, in interfering by injunction to restrain infringement of patents, copyright, and the like, only exercises its jurisdiction as ancillary to the legal right; so that, when there is any considerable doubt of the legal title, the Court either does not grant an injunction at all, or only grants it on terms, in order to prevent irreparable injury while the right is being tried at law. The application of these principles to each particular case will depend on the circumstances of the case. And, in considering whether an injunction will be granted or refused, in the first instance, pending the determination of the legal right, it must be considered whether irreparable or great injury will have been done to the defendant by the injunction should the plaintiff's legal right fail, or to the plaintiff by refusing it should he turn out to have a legal right. Generally, it may be said, that, unless the plaintiff's legal right is clear, the Court will not, at this day, grant an injunction while the legal right is in course of trial. (*Spottiswoode* v. *Clarke*, 2 Phil. 134). Lord Cottenham, C., in a case of *Bacon* v. *Jones*, (4 My. & C. 433), has intimated that he probably never would grant an injunction to restrain infringement of a patent, without putting the plaintiff to try the right at law, if the defendant desired it; and the same doctrine would, no doubt, be applied to any other class of cases where the jurisdiction of equity is ancillary to the legal right. This doctrine was referred to by Vice-Chancellor Wigram, in *The Duke of Beaufort* v. *Morris*, (6 Hare, 340), where the plaintiff's right not being admitted, an injunction had been granted without putting the plaintiff to establish his right at law; and his Honor said, he apprehended, that, in such a case, the Lord Chancellor would have required it as a matter of course.

In a case of *Wilson* v. *Tindal*, (Web. Pat. Cas. 730), Lord Langdale, M.R., said, arguendo, he had no doubt of the competency of the Court to grant an injunction simpliciter; that it was not the right of parties, in every case, to have an action tried in a court of law; that it is a question of convenience, and the Court is to exercise a fair discretion. However, in *Harman* v. *Jones*, (1 Cr. & Ph. 299), Lord Cottenham has held, that where the legal right is in contest, it is the duty of the Court, on granting an injunction, to put the legal question in a course of immediate investigation, whether it be asked for or not; and an injunction simply, without a direction to the plaintiff to bring an action, or without some direction for the trial of the right, will, on the ground of that omission alone, be varied. So, if an injunction is refused, the order is not correct if it does not contain some direction for enabling the plaintiff to proceed at law. (*Swallow* v. *Wallingford*, 12 Jur. 403). For if there is no such direction, the plaintiff cannot proceed to establish his right at law, and is not to be deprived of an injunction, and delayed, of necessity, till the hearing of the cause in equity. And where the injunction is to restrain a party from infringing a legal right, the Court ought not to grant it without securing to itself the means of putting him in the same position, in the event of his turning out to be right, as if the Court had not interfered. (*Sancster* v. *Foster*, 1 Cr. & Ph. 302).

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From these cases, and from the doctrine so frequently laid down by Lord Cottenham, that the Court is not to try a legal right, it seems to follow that the dictum in *Wilson* v. *Tindal* cannot be supported, and that it is of right in the parties to have a trial at law, of some kind, of the legal right.

Injunctions to restrain Proceedings at Law, on the Ground of Complexity of Account.]—In *O'Connor* v. *Spaight*, (1 Sch. & Lef. 305), the defendant had demised premises to the plaintiff, and rent was to be paid, at a certain rate for every acre the premises should be found to contain. Upon this demise the tenant entered, and no rent, as rent, was paid, but divers payments were made to the landlord by bills and otherwise; and then, on the rent being in arrear, the landlord brought ejectment for non-payment. The tenant filed a bill for an account, and applied for an injunction; and Lord Redesdale thought it a proper case to stay the proceedings at law, on the ground that the account was too complex to be taken at law; and, until it was taken, the justice of the case could not appear. This case would be misunderstood if it were supposed to be an authority for the position, that, wherever there is a complex account, it is, on the ground of its complexity alone, fit to be taken in equity, to the exclusion of proceedings at law; or that wherever there is a demand of the defendant at law resting on account, to be set off against that of the plaintiff at law, on that ground alone equity assumes jurisdiction.

If set-off be the ground of restraining proceedings at law, it must be *equitable* set-off, which is, where the equity of the bill impeaches the very demand of the plaintiff at law, as in *O'Connor* v. *Spaight;* not where there are merely specific cross demands, as in *Whyte* v. *O'Brien*, (1 S. & S. 551). For where the case is simply one of specific cross demands—as where the plaintiff at law sues upon a clear breach of a contract, and the plaintiff in equity files a bill to restrain the action, on the ground of a complicated account between the parties, in reference to dealings arising out of the contract, but ultra the particular breach of it—equity will not stay execution of a judgment obtained by the plaintiff at law, unless the account is settled. The equity must be, not that, if the defendant at law pays the demand of the plaintiff at law, it may turn out, that, upon setting that off against the balance due from him on the general account, he will have had too much; but that the very substance of his demand at law is cut down by something which cannot be entered into until the general account is taken. (*Rawson* v. *Samuel*, 1 Cr. & Ph. 161).

See also the great case of *Nixon* v. *The Taff Railway Company*, (House of Lords Cases, 111), which appears at first sight to proceed on mere complication of account, but proceeds in reality upon, and is within the principle of, *O'Connor* v. *Spaight* and *Rawson* v. *Samuel*, viz. that an account is only proper to be taken in equity upon cross demands, when it can only appear from the result of a general account what is due to the party who would be plaintiff at law, and such account is too complicated to be examined at Nisi Prius. C. S. D.

COURT OF QUEEN'S BENCH.

HILARY TERM.—12 VICTORIA.—*Jan.* 22.

This Court will, on Thursday the 1st, Friday the 2nd, Thursday the 8th, Friday the 9th, Saturday the 10th, and Monday the 12th days of February next, hold sittings, and will proceed in disposing of the business in the Crown Paper, Special Paper, and New Trial Paper; and will also hold a sitting on Thursday the 1st day of March next, and give judgment in cases previously argued. BY THE COURT.

COURT OF COMMON PLEAS.

HILARY TERM.—12 VICTORIA.—*Jan.* 25.

This Court will, on Thursday the 8th day of February next, and following days, up to Wednesday the 14th day of February inclusive, (except Sunday the 11th), hold sittings, and will proceed in disposing of the business now pending in the Paper of New Trials, and of the case of *Monypenny* v. *Dering*, in the Special Paper; and will also proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court. BY THE COURT.

COURT OF EXCHEQUER.

HILARY TERM.—12 VICTORIA.—*Jan.* 23.

This Court will hold sittings on Monday and Tuesday the 5th and 6th days of February next, and also on Thursday the 8th day of the same month, and on every succeeding day, (Sundays excepted), until and including Wednesday the 28th day of the same month; and will at such sittings proceed in disposing of the business then pending in the Paper of New Trials, in the Paper of Demurrers, in the Paper of Special Cases, and Motions appointed to be brought on with any case in the New Trial Paper or Demurrer Paper, and also in giving judgment in all matters then standing for judgment.

F. J. POLLOCK.
J. PARKE.
Read in open court, E. H. ALDERSON.
E. Bennett. T. J. PLATT.

London Gazettes.

TUESDAY, JANUARY 23.

BANKRUPTS.

JAMES STRANGE JONES, High Holborn, Middlesex, wax and tallow chandler, oil and colourman, dealer and chapman, Feb. 1 at half-past 12, and March 6 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Jervis, 18, Lawrence Pountney-hill.—Fiat dated Jan. 13.

HELEN WATTS, late of Moreton-in-Marsh, Gloucestershire, widow, innkeeper, victualler, dealer and chapwoman, but now of Cook's-grounds, Chelsea, Middlesex, out of business, Feb. 1 at 1, and March 6 at half-past 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Dupleix, 61, Lincoln's-inn-fields.—Fiat dated Jan. 18.

JOSEPH FRITH EVERETT, late of Red Lion-street, Clerkenwell, but now of High Holborn, Middlesex, hydraulic engineer, pewterer, and gas fitter, Feb. 2 at 1, and March 6 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Taylor, 7, Finsbury-place South.—Fiat dated Jan. 15.

STEPHEN NODEN, Swinton-street, Gray's-inn-road, Middlesex, rag manufacturer, dealer and chapman, Feb. 3 at 1, and March 10 at 12, Court of Bankruptcy, London: Off. Ass. Follett: Sols. Dickson & Co., Frederick's-place, Old Jewry.—Fiat dated Jan. 20.

HENRY HUGHES, Dover, Kent, linen draper, dealer and chapman, Feb. 2 at 11, and March 1 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, Size-lane.—Fiat dated Jan. 17.

THOMAS CORE, Stamford, Lincolnshire, innkeeper and wine merchant, Feb. 9 and March 9 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Brewster, Nottingham; Taylor & Collisson, 28, Great James-street, London.—Fiat dated Jan. 15.

JOHN WOMERSLEY, Manningham, near Bradford, and WILLIAM WOMERSLEY, Clayton, near Bradford, late of Shelf, near Halifax, Yorkshire, (carrying on business at Clayton), delvers and stone merchants, dealers and chapmen, Feb. 5 and 26 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Harle & Clarke, Leeds; Trinder & Eyre, John-street, Bedford-row, London.—Fiat dated Jan. 18.

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JAMES JARVIS, Birmingham, plane maker, dealer and chapman, Feb. 8 and March 3 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Powell, Birmingham.—Fiat dated Jan. 17.

RICHARD BRANWELL, Holsworthy, Devonshire, attorney and money scrivener, dealer and chapman, Feb. 1 at 1, and Feb. 28 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Stogdon, Exeter; Baker & Co., Lime-street, London.—Fiat dated Jan. 16.

HARRY VALENTINE STROUD, Spettesbury, Dorsetshire, miller, dealer and chapman, Feb. 1 at 1, and Feb. 28 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Fincham, Blanford, Dorsetshire; Stogdon, Exeter; Edwards & Peake, New Palace-yard, Westminster. —Fiat dated Jan. 18.

WILLIAM CRADOCK, Truro, Cornwall, auctioneer, farmer, and general agent, dealer and chapman, Feb. 1 at 1, and Feb. 28 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Stogdon, Exeter; Baker & Co., Lime-street, London.—Fiat dated Jan. 16.

THOMAS POTTER, Sheffield, Yorkshire, printer and hosier, Feb. 10 at half-past 12, and March 10 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Unwin, Sheffield; Duncan, Buckingham-street, Adelphi, London.—Fiat dated Jan. 16.

SAMUEL BROWNENTT, Liverpool, fruit merchant, dealer and chapman, Feb. 5 and March 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Pemberton, Liverpool; Cornthwaite & Co., Old Jewry-chambers, London.—Fiat dated Jan. 17.

JAMES PIERCE, Chorley, Lancashire, corn and provision dealer, Feb. 6 and 27 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Turner & Son, Preston; Norris & Co., Bedford-row, London.—Fiat dated Jan. 17.

CHRISTOPHER JOHN SPENCE, Stockton-upon-Tees, Durham, timber merchant and manufacturing and agricultural chymist, dealer and chapman, Feb. 8 at half-past 10, and March 6 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Allison, Darlington; Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne.—Fiat dated Jan. 13.

MEETINGS.

James H. Davis, Windmill-street, Haymarket, Middlesex, livery stable keeper, Feb. 6 at 12, Court of Bankruptcy, London, last ex.—*John Smith*, Regent-street, Middlesex, jeweller, Feb. 15 at 2, Court of Bankruptcy, London, last ex.—*Francis Deflinne*, Manchester, gingham manufacturer, Feb. 14 at 11, District Court of Bankruptcy, Manchester, last ex.—*Gabriel Benda*, Camomile-street, London, importer of foreign goods, Feb. 16 at 11, Court of Bankruptcy, London, aud. ac. —*M. Sheen*, Lower-marsh, Lambeth, Surrey, potato merchant, Feb. 14 at half-past 11, Court of Bankruptcy, London, aud. ac. —*Fred. Cooley Chappell*, Angel-court, Throgmorton-street, London, and Cottage-green, Camberwell, Surrey, stock broker, Feb. 14 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Jordan*, St. Peter's-square, Hammersmith, Middlesex, brickmaker, and Jewry-st., Aldgate, London, machine maker, Feb. 14 at 11, Court of Bankruptcy, London, aud. ac.—*G. Hewitt* and *George Hewlett*, Manchester, woollen drapers, Feb. 15 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 16 at 12, div.—*John Podmore*, Tunstall, Wolstanton, Staffordshire, grocer, Feb. 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. Robotham*, Lane-end, Staffordshire, currier, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Lay*, Dudley, Worcestershire, grocer, Feb. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. Skipp*, Malvern Wells, Henley Castle, Worcestershire, cider merchant, Feb. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Nash* the younger, Stourbridge, Worcestershire, builder, Feb. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Rolfe*, Manchester, music seller, Feb. 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 14 at 12, fin. div.—*Benjamin Fenwick*, Newcastle-upon-Tyne, linen draper, Feb. 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*W. Day*, Liverpool, draper, Feb. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Feb. 16 at 11, div.—*Jas. Pratt*, Liverpool, sharebroker, Feb. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Feb. 16 at 11, div.—*Edmund Jennings*, Horsforth, Yorkshire, corn miller, Feb. 13 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Cusse*, Christchurch, Southampton, grocer, Feb. 14 at half-past 11, Court of Bankruptcy, London, div.—*Catherine Choules*, Reading, Berkshire, ironmonger, Feb. 14 at 11, Court of Bankruptcy, London, div.—*John W. Pocock*, Southampton-street, Strand, Middlesex, upholsterer, Feb. 15 at half-past 1, Court of Bankruptcy, London, div.—*Sam. Mayer*, Burslem, Staffordshire, earthenware manufacturer, Feb. 13 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*Charles Allen*, Saint Ives, Cornwall, ironmonger, Feb. 14 at 11, District Court of Bankruptcy, Exeter, div.—*Wm. Richardson*, Newcastle-upon-Tyne, glass manufacturer, Feb. 16 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. —*Jas. Wallace*, Durham, and Sunderland, Durham, grocer, Feb. 15 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Wm. Todd*, Whitehaven, Cumberland, ironmonger, Feb. 15 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Thomas Rowell*, Hartlepool, Durham, merchant, Feb. 15 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*George Fletcher*, Egremont, Cumberland, tanner, Feb. 15 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div. —*Jas. J. Ferens* and *R. Ferens*, Durham, drapers, Feb. 15 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Wm. Prytherch*, Ty Maur, Llantrisant, Anglesey, cattle dealer, Feb. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*Thomas Slattery*, Liverpool, corn broker, Feb. 16 at 11, District Court of Bankruptcy, Liverpool, div.—*Edward G. Hone*, Liverpool, licensed victualler, Feb. 13 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Josias T. Harrison, Haydon-street, Minories, Middlesex, cooper, Feb. 16 at 12, Court of Bankruptcy, London.—*Chas. Abbott*, Lower Edmonton, Middlesex, market gardener, Feb. 16 at 1, Court of Bankruptcy, London.—*Abraham Butterfield*, Hitchin, Hertfordshire, builder, Feb. 15 at 11, Court of Bankruptcy, London.—*Gabriel Benda*, Camomile-st., London, importer of foreign goods, Feb. 16 at 11, Court of Bankruptcy, London.—*John Lockyer*, Saint James's-walk, Clerkenwell, Middlesex, metal tool merchant, Feb. 14 at 12, Court of Bankruptcy, London.—*John B. Amey*, Liverpool, ship broker, Feb. 14 at 11, District Court of Bankruptcy, Liverpool.—*Richard Hutton*, Liverpool, painter, Feb. 14 at 11, District Court of Bankruptcy, Liverpool.—*Henry Pinhey*, Plymouth, Devonshire, grocer, Feb. 15 at 1, District Court of Bankruptcy, Exeter.—*John Roles*, Maiden Newton, Dorsetshire, linen draper, Feb. 15 at 1, District Court of Bankruptcy, Exeter.—*John P. Durant*, Plymouth, Devonshire, chemist, Feb. 15 at 1, District Court of Bankruptcy, Exeter.—*Wm. Stephens*, Leigh, Worcestershire, blacksmith, Feb. 17 at 12, District Court of Bankruptcy, Birmingham.—*William Wall*, Bridenbury, Herefordshire, cattle dealer, Feb. 17 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 13.

Jos. Clarkson, Woolwich Lower-road, Charlton, Kent, retailer of beer.—*Chas. Dobson Smith*, Bridge-road, Battersea, Surrey, florist.—*Alex. Turnbull*, Blue Anchor-road, Surrey, and Russell-sq., Middlesex, tanner.—*Wm. Farlar*, Brompton-square, Middlesex, builder.—*Rich. Wm. M'Donnell*, Bitton, Gloucestershire, paper manufacturer.—*Edw. Gartside*, Preston, Lancashire, draper.—*Wm. Chambers*, Blackman-street, Surrey, carpenter.—*Robert L. Evans*, Liverpool, butcher.—*Thos. Jones*, Old Swineford, Worcestershire, grocer.—*Wm. Watson*, Golden Valley, Derbyshire, innkeeper.—*Jos. Vaile*, High Holborn, Middlesex, auctioneer.—*John Rees*, Stourbridge, Worcestershire, woollen draper.—*Walter Hall*, Kington, Herefordshire, miller.—*John Petty*, Winterburn, Gargrave, West Riding of Yorkshire, farmer.

SCOTCH SEQUESTRATIONS.

David Ross, New Wynd, Glasgow, wright.—*William Todd*, deceased, Glasgow, warehouseman. —*Archibald Marshall*, Edinburgh, accountant. — *Wm. Steedman*, Gairney-bridge, Kinross, farmer.—*Ninian Scouller & Company*, Glasgow, warehousemen.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry S. Reynolds, Stamford, Lincolnshire, hotel keeper, Feb. 5 at 2, County Court of Lincolnshire, at Stamford.—*Samuel H. Tyler*, Sutton Valence, Kent, painter, Feb. 6 at 12, County Court of Kent, at Maidstone.—*Wm. Everest*, Toys Hill, Brasted, Kent, out of business, Feb. 14 at 10, County Court of Kent, at Sevenoaks.—*Joseph Driver*, Long Buckby, Northamptonshire, bookseller, Feb. 12 at 12, County Court of Northamptonshire, at Daventry.—*Thomas Cole*, Cheltenham, Gloucestershire, beer-house keeper, Feb. 20 at 10, County Court of Gloucestershire, at Cheltenham.—*Wm. Wakefield*, Cheltenham, Gloucestershire, stay maker, Feb. 20 at 10, County Court of Gloucestershire, at Cheltenham.—*John C. Banks*, Lymington, Southampton, painter, Feb. 13 at 12, County Court of Hampshire, at Lymington.—*Thomas D. Millner*, Leeds, Yorkshire, student in civil law of Magdalene College, Cambridge, Feb. 14 at 10, County Court of Yorkshire, at Leeds.—*Thos. Bowman*, Liverpool, in no business, Jan. 29 at 10, Liverpool District County Court, at Liverpool.—*Thomas Barber*, Liverpool, porter dealer, Jan. 29 at 10, Liverpool District County Court, at Liverpool.—*Owen Griffiths*, Liverpool, licensed victualler, Jan. 29 at 10, Liverpool District County Court, at Liverpool.—*J. Towers*, Preston, Lancashire, shoemaker, Jan. 29 at 10, Liverpool District County Court, at Liverpool.—*John Parry*, Liverpool, shoemaker, Jan. 29 at 10, Liverpool District County Court, at Liverpool.—*Matthew Henry Lister* the younger, Little Hampton, Sussex, in no business, Jan. 26 at 11, County Court of Sussex, at Petworth.—*Charles Smith*, Northampton, jobbing butcher, Feb. 7 at 10, County Court of Northamptonshire, at Northampton.—*Wm. Holland*, High Bullen, Wednesbury, Staffordshire, stamper at a glass tube factory, Jan. 27 at 10, County Court of Staffordshire, at Oldbury.—*John Ward*, Smethwick, Staffordshire, coachmaker, Jan. 27 at 10, County Court of Staffordshire, at Oldbury.—*James Mitchell*, Blackburn, Lancashire, travelling draper, Jan. 29 at 11, County Court of Lancashire, at Blackburn.—*Thomas Carlyle*, Blackburn, Lancashire, draper's assistant, Jan. 29 at 11, County Court of Lancashire, at Blackburn.—*Henry Bramley*, Leeds, Yorkshire, dealer in periodicals, Feb. 14 at 10, County Court of Yorkshire, at Leeds.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 6 *at* 11, *before Mr. Commissioner* HARRIS.

Thomas Templeman, Royal Mint, Tower-hill, Middlesex, engineer.—*Frederick Jos. Hoinville*, Ann's-place, Hackney, Middlesex, boot maker.—*Phœbe Jonas*, Ward's-row, Bethnal-green-road, Middlesex, ostrich feather maker.—*Henry Pope Alldis*, London-road, Southwark, Surrey, eating-house keeper.

Feb. 7 *at* 10, *before Mr. Commissioner* LAW.

James Thomas, South Audley-street, Grosvenor-square, Middlesex, boot maker.—*Edward Wedlake*, Brewer-street, Somers-town, Middlesex, china dealer.

Feb. 8 *at* 11, *before the* CHIEF COMMISSIONER.

Fred. R. Williams, Weston-pl., King's-cross, St. Pancras, Middlesex, hatter.—*Chas. Gunnell*, Churton-street, Vauxhall-bridge-road, carpenter.—*Joseph Robt. Harris*, Tyssen-place, Kingsland-road, Middlesex, professor of dancing.—*Michael Coombes*, Castle-bar-hill, Ealing, Middlesex, assistant to a farmer.

Feb. 8 *at* 11, *before Mr. Commissioner* PHILLIPS.

Allen Hurrell, Crown-court, Aldersgate-st., London, clerk in the General Post-office.—*James Fordham*, Three King-court, Lombard-st., London, journeyman to a chemist.

Saturday, Jan. 20.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Robt. Lamb, Salford, Lancashire, bricklayer, No. 70,382 C.; Benj. Consterdine, assignee.—*J. Weeks*, Liverpool, licensed victualler, No. 70,462 C.; John Turner, assignee.—*Henry Walton*, Town-end, Troutbeck, near Kendal, Westmoreland, husbandman, No. 68,407 C.; Rich. Browne, assignee.—*Geo. Walton*, Town-end, Troutbeck, near Kendal, Westmoreland, bobbin turner, No. 68,408 C.; Rich. Browne, assignee.—*Daniel Jones*, Pillgwenlly, near Newport, Monmouthshire, haullier, No. 70,359 C.; Benjamin Young, assignee.—*Thomas Coope*, Little Bolton, Lancashire, out of business, No. 70,516 C.; Robert Crook, assignee.—*Henry Rice*, Liverpool-street, King's-cross, Middlesex, lace warehouseman, No. 60,329 T.; Stephen H. Barnett, assignee.—*John Willett*, Witney, Oxfordshire, licensed victualler, No. 69,828 C.; J. W. Clinch, assignee.—*Benj. Crompton*, Oldham, Lancashire, carter, No. 50,550 C.; John Stephen, new assignee, in place of John Kirkwood, deceased.

Saturday, Jan. 20.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Gustavus Palmer, North-pl., Gray's-inn-lane, Middlesex, artificial florist: in the Queen's Prison.—*William Rains*, Hungerford-market, Strand, Middlesex, fruiterer: in the Queen's Prison.—*Charles Johnson*, Molyneux-st., Edgware-road, Middlesex, publican: in the Debtors Prison for London and Middlesex.—*T. Quinlan*, Shoe-lane, Holborn, London, publican: in the Debtors Prison for London and Middlesex.—*Robert Watt*, Mount Pleasant-hut, Upper Clapton, Middlesex, warehouseman: in the Debtors Prison for London and Middlesex.—*Richard Brown*, Essex-street, Duncan-terrace, Islington, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*Robert Cole*, Brunswick-terrace, Peckham New-town, Surrey, licensed victualler: in the Queen's Prison.—*Lewis Dunbar*, Samuel-street, Woolwich, Kent, shipowner: in the Queen's Prison.—*Geo. T. Browne*, Hampton-court, Hampton, Middlesex, not in any business or occupation: in the Queen's Prison.—*J. S. Pardy*, London-st., Fitzroy-sq., Middlesex, stable keeper: in the Queen's Prison.—*Wm. Fenner*, Union-st., Borough, Surrey, out of business: in the Queen's Prison.—*Wm. Hooper Metcalfe*, Westminster-bridge-road, Surrey, druggist: in the Debtors Prison for London and Middlesex.—*G. Carr*, Brudenell-place, New York-road, Hoxton, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*John Williams*, Frederick-place, Hampstead-road, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—*Wm. Clarke*, Stratford-place, Pimlico, Middlesex, cricketer: in the Debtors Prison for London and Middlesex.—*Samuel Irons*, Cloudesley-st., Islington, Middlesex, solicitor's clerk: in the Debtors Prison for London and Middlesex.—*Wm. Ford*, Church-st., Fulham, Middlesex, maltster: in the Debtors Prison for London and Middlesex.—*Robert Corry Leman*, Montagu-st., Russell-square, Middlesex, assistant to a lodging-house-keeper: in the Debtors Prison for London and Middlesex.—*Dan. Gladdon*, Artillery-passage, Spitalfields, Middlesex, greengrocer: in the Debtors Prison for London and Middlesex.—*Thos. Burn Desormeaux*, Little Moorfields, London, not in any trade or profession: in the Debtors Prison for London and Middlesex.—*John Laws*, Church-st., Bethnal-green, Middlesex, biscuit baker: in the Debtors Prison for London and Middlesex.—*Thos. Murrell*, John-st., Tottenham-court-road, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Thos. William Turner Dowers*, Took's-court, Cursitor-st., Chancery-lane, Middlesex, law stationer: in the Queen's Prison.—*Lazare Francois Vandelin*, Upper Charlotte-st., Fitzroy-square, Middlesex, cabinet maker: in the Queen's Prison.—*Wm. Rob. Edwards*, Deverell-st., Great Dover-st., Newington, Surrey, wine merchant: in the Gaol of Surrey.—*James Young*, jun., High-st., Newington-butts, Newington, Surrey, auctioneer: in the Gaol of Horsemonger-lane.—*John Unsworth*, Providence-place, West-st., Bermondsey, Surrey, whitesmith: in the Gaol of Horsemonger-lane.—*Dominique Causse*, Regent-st., Oxford-st., Middlesex, shopman to a hair dresser: in the Queen's Prison.—*Frederick Banks*, Dartford, Kent, baker: in the Debtors Prison for London and Middlesex.—*Bennett James Martin*, Jubilee-place, Commercial-road East, Middlesex, dealea in tea and coffee: in the Debtors Prison for London and Middlesex.—*Marshall Tebbutt*, New Church-st., Portman-market, Middlesex, tea dealer: in the Debtors Prison for London and Middlesex.—*Wm. Hamilton*, Rose-st., Soho,

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Middlesex, glass paper dealer: in the Debtors Prison for London and Middlesex.—*Wm. Schild*, Chicksand-st., Whitechapel, Middlesex, baker: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Geo. Murrell, Cumberland-place, Marlborough-road, Chelsea, Middlesex, japanner: in the Queen's Prison.

(On their own Petitions).

Anthony Blanchard, Seaham-harbour, Durham, dealer in ship bread: in the Gaol of Durham.—*Mary Evans*, Hulme, Manchester, lodging-house keeper: in the Gaol of Lancaster.—*Rich. Evans*, Chorlton-upon-Medlock, Manchester, assistant to a common brewer: in the Gaol of Lancaster.—*James Marsden*, Clitheroe, Lancashire, shoemaker: in the Gaol of Lancaster.—*Wm. Ashton*, Miles Platting, Newton, near Manchester, out of business: in the Gaol of Lancaster.—*Thomas Blanchard*, Poole, hosier: in the Gaol of Poole.—*Charles Dixon*, Manchester, iron dresser: in the Gaol of Lancaster.—*J. Edmundson*, Hulme, Manchester, general agent: in the Gaol of Lancaster.—*Jos. Griffith*, Birkenhead, Cheshire, letter-press printer: in the Gaol of Chester.—*Sam. Hirst*, Batley Carr, near Dewsbury, Yorkshire, nursery and seedsman: in the Gaol of Halifax.—*Wm. Hughes*, Devonport, Devonshire, barrister at law: in the Gaol of St. Thomas the Apostle.—*Wm. Smith*, Halifax, Yorkshire, out of business: in the Gaol of York.—*Ed. Batty*, Leeds, Yorkshire, brewer: in the Gaol of York.—*Geo. Robins*, Davidstow, Cornwall, farmer: in the Gaol of Bodmin.—*John Sheer Robins*, Davidstow, Cornwall, innkeeper: in the Gaol of Bodmin.—*Robert Hoyle*, Halifax, Yorkshire, dealer in wool: in the Gaol of York.—*Sam. Ball*, Sarn-hill, Llangwnor, Carmarthenshire, land surveyor: in the Gaol of Carmarthen.—*Geo. Evans*, Stapeley, near Nantwich, Cheshire, shoemaker: in the Gaol of Chester.—*Rich. Watson*, Kirkdale, near Liverpool, cotton merchant: in the Gaol of Lancaster.—*Wm. Knight*, Croydon-common, Croydon, Surrey, tailor: in the Gaol of Maidstone.—*J. Wilson*, Holbeck, near Leeds, Yorkshire, joiner: in the Gaol of York.—*Thomas Stevenson*, Didcott, near Wallingford, Berkshire, licensed victualler: in the Gaol of Reading.

(On Creditors' Petitions).

John Ladner, St. Buryan, Cornwall, yeoman: in the Gaol of Bodmin.—*John Heath*, Villa-st., near Birmingham, gun furniture maker: in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 6 *at* 10, *before Mr. Commissioner* LAW.

Charles Loftus, Morston, near Blakeney, Norfolk, major in the Norfolk Yeomanry Cavalry.—*H. Crowther*, Harrow-road, Paddington, and Bunhill-row, Middlesex, cabinet maker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cornwall, at BODMIN, *Feb.* 7 *at* 10.

George Pinch the younger, St. Stephen's, Branwell, innkeeper.

At the County Court of Yorkshire, at HALIFAX, *Feb.* 7 *at* 9.

Sam. Hirst, Batley Carr, near Dewsbury, nursery and seedsman.

FRIDAY, JANUARY 26.

BANKRUPTS.

THOMAS WHITE, Cornhill, London, chemist and druggist dealer and chapman, Feb. 2 and March 9 at half-past 11 Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols Goddard & Eyre, 101, Wood-street, Cheapside.—Fiat dated Jan. 13.

HENRY WOOLHOUSE, Windsor, Berkshire, timber dealer and beer retailer, Feb. 9 at half-past 11, and March 10 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sol. Lane, Falcon-square.—Fiat dated Jan. 20.

WILLIAM TOWNS, Kingston, Surrey, farmer and cattle dealer, dealer and chapman, Feb. 2 at half-past 1, and March 9 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Guillaume, Angel-court, Throgmorton-st.—Fiat dated Jan. 23.

PETER LUND SIMMONDS, Barge-yard, Bucklersbury, London, bookseller and publisher, (trading under the firm of Simmonds & Co.), Feb. 1 at half-past 12, and March 12 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Woollen, Bucklersbury.—Fiat dated Jan. 19.

ROBERT LIVING, Leadenhall-market, London, poultry salesman, dealer and chapman, Feb. 1 at 11, and March 5 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Sturmy & Simpson, Wellington-st., Southwark.—Fiat dated Jan. 22.

EDWIN TWIZELL GOUGH, Edmonton, Middlesex, boarding-house keeper, dealer and chapman, Feb. 2 at 12, and March 7 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Ashley, Shoreditch.—Fiat dated Jan. 17.

SAMUEL WILLIAMS, Reading, Berkshire, coach proprietor, Feb. 9 at 1, and March 9 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Whatley, Reading, Berkshire; Sudlows & Co., 38, Bedford-row, London.—Fiat dated Jan. 16.

WILLIAM WATERMAN, Brenchley, Kent, farmer, cattle dealer, dealer and chapman, Feb. 2 at half-past 11, and March 7 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Smith, Barnard's-inn.—Fiat dated Jan. 16.

JOSEPH FOX, Nos. 77 and 78 Arches, North-st., Bethnal-green, and Victoria-grove, Victoria-park, Middlesex, timber merchant, Feb. 6 at 2, and March 9 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Taylor, 17, Pavement, Finsbury.—Fiat dated Jan. 17.

CHARLES FREDERICK ELLERMAN and HENRY SHERARD COLEMAN, St. Martin's-lane, Westminster, Middlesex, (trading under the firm of Ellerman & Co.), merchants, dealers and chapmen, Feb. 9 at 2, and March 9 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Amory & Co., 25, Throgmorton-street.—Fiat dated Jan. 23.

JOHN WINTLE, Shirehampton, Westbury-upon-Trym, Gloucestershire, innkeeper, licensed victualler, dealer and chapman, Feb. 9 and March 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Castle & Henderson, Bristol; Surr & Gribble, 80, Lombard-street.—Fiat dated Jan. 22.

JOHN NEWBOLD, Dudley, Worcestershire, auctioneer, dealer and chapman, Feb. 7 and March 6 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Bolton, Dudley; Motteram & Co., Birmingham.—Fiat dated Jan. 22.

EDWARD PERKS, Redditch, and Stoke Mills, Worcestershire, needle and fish-hook manufacturer, (lately having a place of business at No. 34, Poultry, London), Feb. 7 and March 6 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Cheek, Evesham; Wright, Birmingham.—Fiat dated Jan. 18.

HERCULES HAILES DANCOCKS, Stone House, Kempley, and Great Netherton, Dymock, Gloucestershire, coal dealer and timber merchant, dealer and chapman, Feb. 9 and March 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Reese, Ledbury; Reese & Chambers, Devereux-court.—Fiat dated Jan. 20.

PHILIP HUGH WEBBER, BERNARD JAMES WEBBER, and HENRY WEBBER, of Newton Abbot, Devonshire, ironfounders and whitesmiths, Feb. 7 and March 7 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Turner, Exeter; Spyer, 30, Broad-street-buildings, London.—Fiat dated Jan. 20.

THOMAS HUGHES, Liverpool, woollen draper, Feb. 9 and March 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Chester & Co., Staples-inn, London; or Morecroft & Son.—Fiat dated Jan. 23.

ALEXANDER DURANTY, Liverpool, lately carrying on business with John Greenshields and Matthew Strang as merchants, dealers and chapmen, under the firm of William Rose & Co., Feb. 7 and March 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Lloyd, Liverpool; Trinder & Eyre, John-street, Bedford-row, London.—Fiat dated Jan. 15.

MARIA MORGAN, widow, Liverpool, woollen draper, dealer and chapwoman, (surviving partner of William Alcock, deceased), Feb. 13 and March 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Hampson & Son, Manchester; Woodburn, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated Jan. 17.

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BARTHOLOMEW DOWD, Liverpool, tailor and draper, outfitter, dealer and chapman, Feb. 6 and 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Bretherton, Liverpool; Carpenter, Staples-inn, London.—Fiat dated Jan. 11.

JOHN MOULTON, Manchester, timber merchant and builder, Feb. 7 and March 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester; Reed & Co., Friday-st., Cheapside, London.—Fiat dated Jan. 11.

MEETINGS.

Thos. W. Martin, Oxford, tailor, Feb. 16 at 1, Court of Bankruptcy, London, pr. d.—*William Bower*, Wilmslow, Cheshire, cotton spinner, Jan. 31 at 12, District Court of Bankruptcy, Manchester, last ex.—*Wm. Shaw* the younger, Salford, Lancashire, printer, Feb. 6 at 11, District Court of Bankruptcy, Manchester, last ex.—*John Jackson*, Kingston-upon-Hull, innkeeper, Feb. 14 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, last ex.—*Wm. Lilley*, Albert-road, Peckham, Surrey, shipowner, Feb. 16 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Simmons*, Marden, Kent, dealer and chapman, Feb. 16 at 11, Court of Bankruptcy, London, aud. ac.—*Francis Deflinne*, Manchester, gingham manufacturer, Feb. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 21 at 1, div.—*Wm. West*, Stroud, Gloucestershire, builder, Feb. 20 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Hind* and *Roger Warbrick*, Liverpool, curriers, Feb. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Collins*, Salford, Lancashire, common brewer, Feb. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 20 at 12, div.—*Thos. Nuttall*, Rochdale, Lancashire, pork butcher, Feb. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 20 at 12, fin. div.—*Nicholas Brown*, Hexham, Northumberland, timber merchant, Feb. 20 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Fox*, *George Rippon*, *Christ. A. Wawn*, and *Wm. Lishman*, West Cornforth and Thrislington, near West Cornforth, Durham, lime burners, Feb. 20 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Feb. 22 at 11, div. sep. est. of *Christ. A. Wawn*.—*Robert Blackford*, Swindon, Wiltshire, butcher, Feb. 16 at 11, District Court of Bankruptcy, Bristol, div.—*Thos. Martin*, Scarthing Moor, Weston, Nottinghamshire, miller, Feb. 16 at 11, District Court of Bankruptcy, Nottingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Peterson, Mount-st., Lambeth, Surrey, shoemaker, Feb. 19 at half-past 1, Court of Bankruptcy, London.—*Wm. Simmons*, Marden, Kent, dealer and chapman, Feb. 16 at 11, Court of Bankruptcy, London.—*Joseph Scruby*, Roxton, Bedfordshire, farmer, Feb. 17 at 1, Court of Bankruptcy, London.—*John Walker*, Upper Seymour-st., Edgware-road, Paddington, Middlesex, hotel keeper, Feb. 19 at 12, Court of Bankruptcy, London.—*Joseph Thos. Townsend*, High-street, Islington, Middlesex, carpet dealer, Feb. 16 at 12, Court of Bankruptcy, London.—*Wm. Lilley*, Albert-road, Peckham, Surrey, shipowner, Feb. 16 at 11, Court of Bankruptcy, London.—*Walter Wilson*, Tavistock-place, Tavistock-square, Middlesex, apothecary, Feb. 20 at 12, Court of Bankruptcy, London.—*Leonard Greening*, Stroud, Gloucestershire, saddler, Feb. 20 at 11, District Court of Bankruptcy, Bristol.—*Wm. Evans*, Sheffield, Yorkshire, table knife manufacturer, Feb. 17 at 10, District Court of Bankruptcy, Leeds.—*Thomas Ward*, Smethwick, Staffordshire, railway pin manufacturer, Feb. 17 at 12, District Court of Bankruptcy, Birmingham.—*John Yates* the elder, Colton, Staffordshire, corn merchant, Feb. 22 at 10, District Court of Bankruptcy, Birmingham.—*John Speakman*, Astley, Lancashire, joiner, Feb. 19 at 12, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 16.

John James Palmer, Birmingham, wholesale jeweller.—*James Manley*, Brighouse, Halifax, Yorkshire, grocer.—*Ed. Hen. Browne*, Peckham-rye, Surrey, and Beaufort-buildings, Strand, Middlesex, brickmaker.—*Carnaby Thomas Ansdell*, Barnet, Middlesex, coach proprietor.—*John Hine Toovey*, Fashion-st., Dockhead, Bermondsey, Surrey, licensed victualler.—*Rich. Booty Cousens*, York-square, Stepney, Middlesex, engineer.—*Chas. Jas. Hanmer*, Upper Lawn, Shropshire, cattle dealer.—*Wm. Browning*, Whitstable, Kent, grocer.—*Owen Roberts*, Tyn y Coed, Penmachno, Carnarvonshire, cattle dealer.

FIATS ANNULLED.

Solomon Child, Ewhurst, Surrey, mealman.—*J. Millage*, Cheltenham, Gloucestershire, grocer.

PARTNERSHIP DISSOLVED.

Francis Paynter and *Rowland Augustus Griffith Davies*, Penzance, Cornwall, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

James Craig, Edinburgh, commission agent.—*Geo. White*, Glasgow, watch maker.—*David Robert Morice*, Aberdeen, advocate.—*John Green*, Edinburgh, share broker.—*Wilson & Philp*, Dundee, corn merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Mathews, Castle-court, Bridge-row, London, general agent, Feb. 10 at 10, County Court of Kent, at Gravesend.—*Thos. Elliott*, Cheddington, Buckinghamshire, butcher, Feb. 10 at 11, County Court of Bedfordshire, at Leighton Buzzard.—*Hannah Challenor*, Over, Cheshire, schoolmistress, Feb. 6 at 12, County Court of Cheshire, at Northwich.—*George Hindle*, Blackburn, Lancashire, cotton spinner, Feb. 13 at 12, County Court of Lancashire, at Haslingden.—*Joseph Hepworth*, Huddersfield, Yorkshire, dyer, Feb. 15 at 10, County Court of Yorkshire, at Huddersfield.—*Wm. Cooper*, Falmouth, Cornwall, butcher, Feb. 10 at 11, County Court of Cornwall, at Falmouth.—*John Slack*, Astbury, Cheshire, wheelwright, Feb. 9 at 10, County Court of Cheshire, at Congleton.—*John Clough*, Apsley, near Huddersfield, Yorkshire, manufacturer of chicory, Feb. 15 at 10, County Court of Yorkshire, at Huddersfield.—*John Gray*, West Derby, Lancashire, nurseryman, Feb. 5 at 10, Liverpool District County Court, at Liverpool.—*Jas. Waterfall*, Whaplode, Lincolnshire, cordwainer, Feb. 8 at 1, County Court of Lincolnshire, at Holbeach.—*John Scott*, New Shoreham, Sussex, master mariner, Feb. 2 at 2, County Court of Sussex, at Brighton.—*George Holford*, Brighton, Sussex, green grocer, Feb. 2 at 2, County Court of Sussex, at Brighton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 12 *at* 10, *before Mr. Commissioner* LAW.

Henry Levin, Bury-st., Leadenhall-st., London, French coffee-house keeper.—*Henry Fetherston*, Prospect-row, Bermondsey, Surrey, auctioneer.—*George Slater*, Enfield, Middlesex, gun-lock filer.

Feb. 12 *at* 11, *before Mr. Commissioner* PHILLIPS.

Henry Jones, Prior-place, East-street, Walworth, Surrey, dairyman.—*Robert Walker Ormston*, South-st., Manchester-square, Middlesex, shopman.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 9 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Hamley Turtle the elder, Palace-st., Pimlico, Middlesex, pianoforte tuner.—*Wm. Deal*, Henry-st., Pentonville, Middlesex, watch maker.—*Thos. Hayward*, Henry-st., Pentonville, and Foundling-terrace, Gray's-inn-road, Middlesex, carver.

Feb. 10 *at* 11, *before Mr. Commissioner* PHILLIPS.

L. Levy, Smith-st., Jubilee-place, Mile-end, Middlesex, bill broker.—*Thos. Pearce*, Thornton-heath, near Croydon, Surrey, out of business.—*Hen. Jenkins*, Alexander-terrace, Brompton, Middlesex, out of business.—*Wm. Rains*, Hungerford-market, Strand, Middlesex, fruiterer.—*George Theed Browne*, Hampton Court, Middlesex, gentleman.

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Feb. 12 *at* 11, *before the* CHIEF COMMISSIONER.

Sam. Lench the younger, Liverpool-st., and Bishopsgate-st. Without, London, japanner.—*John Samuel Story* the younger, Foley-place, Portland-place, Oxford-st., Middlesex, attorney at law.—*John Carter*, King-st., Borough, Surrey, dealer in horse flesh.—*John Myers*, Baldwin-st., City-road, Middlesex, cigar dealer.—*Charles Johnson*, Molyneaux-st., Edgware-road, Middlesex, out of business.

Feb. 12 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Humpage, Margaret-terrace, Paddington-green, Middlesex, out of business.—*Thos. Wm. Turner Dowers*, Took's court, Cursitor-st., Chancery-lane, Middlesex, law stationer.

Feb. 12 *at* 10, *before Mr. Commissioner* LAW.

Richard Cushing, Hawkin's-street, Jubilee-place, Commercial-road, Middlesex, master mariner.—*John Janes*, Berwick-street, Soho, Middlesex, out of business.—*D. Causse*, Castle-street, Oxford-st., Middlesex, shopman to a hair dresser.—*Rob. Gill*, Dove-place, Goldsmith-row, Hackney, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, *Feb.* 12.

Thomas Holmes, Pitchcombe, gardener.

At the County Court of Wiltshire, at SALISBURY, *Feb.* 12.

Jane Seager Neate, Alton Barnes, out of business.

At the County Court of Glamorganshire, at CARDIFF, *Feb.* 12.

David Williams, Merthyr Tydfil, out of business.—*Joseph James*, Merthyr Tydfil, railman.

At the County Court of Dorsetshire, at POOLE, *Feb.* 16.

Thomas Blanchard, Poole, hosier.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—Robert Toynbee, of Lincoln; Frederick Grain, of Cambridge.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Humphry Willyams, Esq., for the Borough of Truro, in the room of Edmund Turner, Esq., deceased.

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JAMES BEAUMONT, Clerk.

THE FIRE at LINCOLN'S INN.—"A rumour is current, and we have reason to believe it well founded, that the title-deeds of about thirty large landed estates, chiefly belonging to families of distinction, perished in the chambers of a firm of solicitors, in the recent fire in Lincoln's-inn."—*Daily News*, January 17th, 1849. A Pamphlet of "General Information of the Preservation of Books, Title-deeds, Records, and Documents from Fire," collected from the evidence of leading scientific and practical men, as well as from experiments and facts, by the President of the Liverpool Polytechnic Society, for 1849, may be had (free of charge) at, or sent (post free) from, 47A, Moorgate-street, City, London.

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To be viewed, and Catalogues had.

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The Jurist

No. 630—Vol. XIII. FEB. 3, 1849. *Price* 1*s.*, *with Supplement*, 2*s.*

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	A. Gordon, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	A. Gordon, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Tenison Edwards, Esq. of the Inner Temple, and Charles Marett, Esq. of the Inner Temple, Barristers at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, FEBRUARY 3, 1849.

A decision of some importance has recently been pronounced by the Vice-Chancellor of England in "the Countess of Rosslyn's trust," (13 Jur. Part I, p. 27), upon the effect of the Accumulation Act, (39 & 40 Geo. 3, c. 98).

The question arose for the first time (as it is alleged) upon a *deed*. Lady Rosslyn vested a sum of money in *trustees*, upon trust to accumulate during the joint lives of A. and B., and on the death of A. to pay to B. the interest of the accumulated fund during her life, and after her death to pay the fund to another person. Lady Rosslyn died in 1826; A. died in 1847; and the trustees of the fund having paid it into court under the Trustee Act, B. and the remainder-man now came on petition to have the fund; and the question was, whether the trust for accumulation was void altogether, or only void from the death of Lady Rosslyn.

The point could, of course, not arise under a will; and, therefore, the decisions upon wills would not strictly apply. Under a will, the trust for accumulation must necessarily be for the life of some survivor of the testator, or during some other period exceeding, or which may exceed, the period of twenty-one years fixed by the statute. The same question which is raised upon a will in such a case as *Griffiths* v. *Vere* (9 Ves. 127) might, of course, also be raised upon a deed; and there can be no doubt but a trust created by deed, to accumulate for a period which might exceed twenty-one years after the death of the settlor, would be good for the period of twenty-one years. In the case before the Vice-Chancellor, the difficulty, if difficulty there was, arose from the settlor having directed the accumulation, not in terms during her own life, which, if she had done, would be strictly within the words of the statute, but during the lives of other living persons, which might, therefore, prolong the accumulation beyond the life of the settlor. The question was, therefore, whether this was to be read as anything more than a direction to invest during the lives of the cestuis que vies, if the settlor should so long live; or rather, whether the same reasoning which is applied to the statute with regard to a trust for accumulation by will, which may, by the terms of it, exceed twenty-one years, is not applicable to the statute with respect to a trust for accumulation by deed, which may, by its terms, exceed the life of the settlor. The Court decided that it is applicable, and that the trust for the accumulation during the lives of A. and B. was good during the life of Lady Rosslyn, and bad only from the period of her death. It has always appeared to us singular, looking at the language of the statute, that any doubt should ever have been seriously entertained from the points arising in *Griffiths* v. *Vere*. The disabling part of the statute does not enact, that any settlement or will, expressing, in terms, a trust for excessive accumulation, shall be void, but personally disables the settlor or testator from effecting the excessive accumulation. "No person or persons shall, after the passing of this act, by any deed or deeds, surrender or surrenders, will, codicil, or otherwise howsoever, settle or dispose of any real or personal property, so and in such manner that the rents, issues, profits, or produce thereof shall be wholly or partially accumulated for any longer term than the life or lives of any such grantor or grantors, settlor or settlors, or the term of twenty-one years from the death of any such grantor, settlor, devisor, or testator." If the case stood on this part of the section alone, it might be thought that a di-

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rection to accumulate for more than the life of the grantor, or twenty-one years afterwards, would not, on the equity of the statute, be wholly void, but only to the extent to which the statute says a settlor shall not settle so as to accumulate. But the latter part of the clause seems framed expressly to prevent all doubt, by directing, "that, in every case where any accumulation shall be directed otherwise than as aforesaid, such directions shall be null and void, and the rents, issues, profits, and produce of such property so directed to be accumulated shall, so long as the same shall be directed to be accumulated, contrary to the provisions of this act, go to, and be received by, such person or persons as would have been entitled thereto if such accumulation had not been directed." Now, as the act expressly permits accumulation for one of two periods, namely, the life of the grantor, or twenty-one years afterwards, the clause above cited can only mean to direct the destination of the funds directed to be accumulated, for the excess beyond either of those periods; because the accumulations are only to go away from the persons designated, so long as they are directed to be accumulated *contrary* to the provisions of the statute; and so far as the direction operates to produce accumulation for either of the periods mentioned, it is not a direction to accumulate *contrary* to the provisions of the statute, and is excepted out of the latter part of the 1st section. Nevertheless, however clear the construction of a statute may appear, it is always satisfactory in practice that it should rest upon express authority, and that is now furnished by the case above referred to.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

Lincoln's Inn, *Jan.* 30.—James Keene Hawkins, Esq.; Joshua Toulmin Smith, Esq.; George Williams Leech, Esq.; Francis Williams Clarke, Esq.; James Wilberforce Stephen, Esq.; Henry Kennedy, Esq.

Inner Temple.—George R. Clarke, Esq.; James Stansfield, Esq.; John Spencer, Esq.; Edmund H. Dickinson, Esq.; Charles John Bunyon, Esq.; Charles Riley, Esq.; William Henry Smyth, Esq.; Edward Sykes, Esq.; Robert B. Mansfield, Esq.; Alfred Hamilton, Esq.; Augustus F. Boyce, Esq.; Henry D. Macleod, Esq.; Frederick Peel, Esq.

Middle Temple.—George Tennant, Esq.; John Jervis, Esq.; William Tapping, Esq.; George Frederick Speke, Esq.; Charles Chandos Pole, Esq.; Thomas Harrison, Esq.; John German, Esq.; John Brewer, Esq.; John Oliver Surtees, Esq.; Reginald Fowler, Esq.; George Pearson Wilkinson, Esq.; John Corsbie, Esq.; John Charles Frederick Sigismund Day, Esq.; Charles Edward Hawkins, Esq.; Francis Halhed, Esq.

Gray's Inn, *Jan.* 24.—James Fallon, Esq. *Jan.* 30.—Frederick James Furnivall, Esq.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, at Westminster, has appointed Edwin Ball, Gent., of Pershore, Worcestershire, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Worcester, also in and for the counties of Warwick and Gloucester.

ON THE WRIT OF MANDAMUS.

(*Continued from Vol.* 12, *p.* 531).

Where several causes returned are inconsistent, the whole is bad. (*Rex* v. *Cambridge*, 2 T. R. 450; S. P., *Rex* v. *York*, 5 T. R. 66). It is inconsistent to state, in a return to a mandamus, (to certify the election of a recorder, supposed, in the writ, to be on the 15th January), that the corporation were not then duly assembled; and afterwards to state the election of another corporate officer, to wit, on the 15th January. The day in such case is material; and then its being laid under a videlicet does not make any difference. (*Rex* v. *York*, 5 T. R. 66). A return to such a mandamus, that the corporation were not duly assembled to proceed to the election of a recorder, is bad, because it contains a negative pregnant. Where the writ sets forth all the proceedings of the election, concluding "by reason whereof A. was elected," it is a bad return to say that he was not elected: the proper course would be for the defendant to traverse one of the facts alleged. (Ib.) The return must deny the substance of the writ, and not the words only, or it will be bad. A return to a mandamus to restore, that the prosecutor was not duly elected, admitted, and sworn, was held ill. (*Rex* v. *Lyme Regis*, Doug. 79). Repugnancy in a return will vitiate it; therefore a return which first admits an election, and then avoids it by stating that there was no election at all, is bad. (*Rex* v. *Norwich*, 2 Salk. 436; *Reg.* v. *Old Hall Manor*, 10 Adol. & Ell. 248). So will an argumentative return. (*Rex* v. *Hereford*, 6 Mod. 309; *Rex* v. *Raines*, 3 Salk. 233). To a mandamus to restore the under-schoolmaster of a grammar-school, a return that the party had never taken the oaths appointed to be taken without specifying them, is bad, for non constat they are illegal. (*Rex* v. *Morpeth Bailiffs*, 1 Str. 58). If a custom to remove ad libitum be returned by way of recital only, it will be bad. (*Rex* v. *Coventry*, 2 Salk. 430). It must appear positively. If the return do state that the party was summoned, it will be bad. (*Rex* v. *Gaskin*, 8 T. R. 209). So, where the return sets out the cause of a motion to be non-attendance at corporate meetings for the purpose of electing officers, it must be shewn that the attendance of the party amoved was requisite, and that he had a right to concur and take part in the election, and ought to have obeyed the summons, otherwise it will be bad. (*Rex* v. *Lyme Regis*, Doug. 168). To a mandamus to restore to the place of alderman, if the return do not set forth a total desertion from the place of which the party was amoved, it will be bad. (*Rex* v. *The Corporation of Leicester*, 4 Burr. 2087). It should appear upon the return that the body removing had proved the charge for which the member was removed: it is not sufficient to state merely that he was present when the charge was made, and did not deny it. (*Rex* v. *Faversham*, 8 T. R. 209). To a mandamus to swear in churchwardens, a return of lis pendens is bad, though accompanied with very special circumstances. (*Rex* v. *Harris*, 1 Bl. Rep. 430; S. C., 3 Burr. 1420). Where a charter of incorporation directed that those entitled to be burgesses should make application to the mayor and commonalty on a day certain in each year,

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and at no other time, and then make due and legal proof of their qualifications; and A. and B., claiming to be admitted burgesses, made application to the mayor and commonalty on the charter-day, and offered to make due and legal proof of their qualifications, but their applications were not heard nor proofs received, on account of the time having been spent in other business; a return to a mandamus to the mayor and commonalty to enter an adjournment to a subsequent day, to receive and examine the qualifications of the candidates, "that it was impossible for A. and B., before the expiration of the charter-day, to make due and legal proof, &c., according to the intent of the charter, by reason of the day being consumed in the necessary business of the borough, and that the mayor and commonalty were not authorised to hear such proof on any other day than the charter-day," &c., was held bad. (*Rex* v. *Carmarthen*, 1 M. & S. 697). To a mandamus to swear A. and B. churchwardens, non fuit debito modo elect is a bad return. (*Reg.* v. *Twitty*, 2 Salk. 433; *Reg.* v. *Guise*, 2 Lord Raym. 1008). So, a return to a mandamus commanding defendant to take upon himself the office of common-councilman of the borough of Leicester, "that, by a bye-law, persons refusing to fill that office are subject to a certain fine, and that defendant had paid the fine," was holden insufficient, because it omitted to state that the fine was in lieu of service. (*Rex* v. *Bower*, 1 B. & C. 585). So, a return stating an excuse for not complying with a peremptory writ of mandamus is bad and inadmissible, no return to a peremptory mandamus being under any circumstances receivable. (*Reg.* v. *Poole*, 1 G. & D. 728; S. C., nom. *Reg.* v. *Ledgard*, 1 Adol. & Ell., N. S., 616). A return to a mandamus denying the matters of the writ with a protestando is ill. (*Rex* v. *The Bristol Dock Company*, 9 D. & R. 609; S. C., 6 B. & C. 181).

(*To be continued.*)

Court Papers.

EQUITY SITTINGS, AFTER HILARY TERM, 12 Vict. 1849.

Court of Chancery.

Before the Lord Chancellor, *at Lincoln's Inn.*

Thursday .... *Feb.*	8	First Seal.—Appeal Motions and Appeals.
Friday	9	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	10	Appeals.
Monday.....	12	
Tuesday.....	13	
Wednesday	14	
Thursday.....	15	
Friday	16	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	17	Appeals.
Monday.....	19	
Tuesday.....	20	
Wednesday.....	21	
Thursday.....	22	
Friday	23	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	24	Appeals.
Monday.....	26	
Tuesday.....	27	
Wednesday	28	Second Seal.—Appeal Motions and Appeals.
Thursday .. *March*	1	
Friday	2	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	3	Appeals.
Monday.....	5	
Tuesday.....	6	
Wednesday	7	
Thursday	8	
Friday	9	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	10	Appeals.
Monday.....	12	
Tuesday.....	13	
Wednesday	14	Third Seal.—Appeal Motions and Appeals.
Thursday	15	Appeals.
Friday	16	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	17	Appeals.
Monday.....	19	
Tuesday.....	20	
Wednesday	21	
Thursday	22	
Friday	23	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	24	Appeals.
Monday.....	26	
Tuesday.....	27	
Wednesday	28	Fourth Seal.—Appeal Motions and Appeals.
Thursday	29	General Petition-day.

The Court will rise on Wednesday, the 4th of April.

N.B.—Such days as his Lordship sits on Appeals in the

Vice-Chancellors' Courts.

Before the Vice-Chancellor of England, *at Lincoln's Inn.*

Thursday .... *Feb.*	8	First Seal.—Motions.
Friday	9	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	10	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	12	
Tuesday.....	13	
Wednesday	14	
Thursday.....	15	
Friday	16	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	17	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	19	
Tuesday.....	20	
Wednesday	21	
Thursday	22	
Friday	23	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	24	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	26	
Tuesday.....	27	
Wednesday	28	Second Seal.—Motions.
Thursday .. *March*	1	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	2	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	3	Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Monday.....	5	
Tuesday	6	
Wednesday	7	
Thursday.....	8	
Friday	9	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	10	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	12	
Tuesday.....	13	
Wednesday	14	Third Seal.—Motions.

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Thursday	15	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	16	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	17	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	19	
Tuesday	20	
Wednesday	21	
Thursday	22	
Friday	23	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	24	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	26	
Tuesday	27	
Wednesday	28	Fourth Seal.—Motions.
Thursday	29	General Petition-day.

The Court will rise on Wednesday, the 4th of April.

N. B.—Short Causes head of paper on Friday, March 30.

Before VICE-CHANCELLOR KNIGHT BRUCE, *at Lincoln's Inn.*

Thursday	*Feb.* 8	First Seal.—Motions.
Friday	9	(Petition-day).—Petitions and Causes.
Saturday	10	Short Causes and Causes.
Monday	12	Bankrupt Petitions.
Tuesday	13	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	14	Bankrupt Petitions and Causes.
Thursday	15	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	16	(Petition-day).—Petitions and Ditto.
Saturday	17	Short Causes and Causes.
Monday	19	Bankrupt Petitions and Causes.
Tuesday	20	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	21	Bankrupt Petitions and Causes.
Thursday	22	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	23	(Petition-day).—Petitions and Ditto.
Saturday	24	Short Causes and Causes.
Monday	26	Bankrupt Petitions.
Tuesday	27	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	28	Second Seal.—Motions.
Thursday	*March* 1	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	2	(Petition-day).—Petitions and Ditto.
Saturday	3	Short Causes and Causes.
Monday	5	Bankrupt Petitions.
Tuesday	6	Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Wednesday	7	Bankrupt Petitions and Causes.
Thursday	8	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	9	(Petition-day).—Petitions and Ditto.
Saturday	10	Short Causes and Causes.
Monday	12	Bankrupt Petitions.
Tuesday	13	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	14	Third Seal.—Motions.
Thursday	15	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	16	(Petition-day).—Petitions and Ditto.
Saturday	17	Short Causes and Causes.
Monday	19	Bankrupt Petitions and Causes.
Tuesday	20	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	21	Bankrupt Petitions and Causes.
Thursday	22	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	23	(Petition-day).—Petitions and Ditto.
Saturday	24	Short Causes and Causes.
Monday	26	Bankrupt Petitions.
Tuesday	27	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	28	Fourth Seal.—Motions.
Thursday	29	(General Petition-day).—Petitions.
Saturday	31	Short Causes and Bankrupt Petitions.

Before VICE-CHANCELLOR WIGRAM, *at Lincoln's Inn.*

Thursday	*Feb.* 8	First Seal.—Motions and Causes.
Friday	9	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	10	Short Causes, Petitions, (unopposed first), and Causes.
Monday	12	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	13	
Wednesday	14	
Thursday	15	
Friday	16	
Saturday	17	Short Causes, Petitions, (unopposed first), and Causes.
Monday	19	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	20	
Wednesday	21	
Thursday	22	
Friday	23	
Saturday	24	Short Causes, Petitions, (unopposed first), and Causes.
Monday	26	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	27	
Wednesday	28	Second Seal.—Motions and Causes.
Thursday	*March* 1	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	2	
Saturday	3	Short Causes, Petitions, (unopposed first), and Causes.
Monday	5	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	6	
Wednesday	7	
Thursday	8	
Friday	9	
Saturday	10	Short Causes, Petitions, (unopposed first), and Causes.
Monday	12	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	13	
Wednesday	14	Third Seal.—Motions and Causes.
Thursday	15	Pleas, Demurrers, Causes, Exceptions, and Further Directions.
Friday	16	
Saturday	17	Short Causes, Petitions, (unopposed first), and Causes.
Monday	19	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	20	
Wednesday	21	
Thursday	22	
Friday	23	
Saturday	24	Short Causes, Petitions, (unopposed first), and Causes.
Monday	26	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	27	
Wednesday	28	Fourth Seal.—Motions and Causes.
Thursday	29	General Petition-day.

The Court will rise on Wednesday, the 4th of April.

N. B.—Short Causes head of paper on Saturday, March 31.

London Gazettes.

TUESDAY, JANUARY 30.

BANKRUPTS.

STEPHEN KEEN and WILLIAM LANGFORD, John-street, Pentonville, Middlesex, brewers, (trading under the style of Stephen Keen & Co.), Feb. 13 at half-past 1, and March 16 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Overton & Hughes, Old Jewry.—Fiat dated Jan. 25.

JAMES POOLE WITHERS, Winchester, draper, dealer and chapman, Feb. 9 at 1, and March 15 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Reed & Co., 59, Friday-street, Cheapside, London.—Fiat dated Jan. 22.

JOHN WILLIAM YELL, late of Great Dover-st., Southwark, and Walworth-road, but now residing at Walworth-place, Walworth-road, Surrey, tailor, draper, and hatter, dealer and chapman, Feb. 6 aud March 12 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Gant, Nicholas-lane.—Fiat dated Jan. 27.

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THOMAS THOMPSON, Halsey-terrace, Chelsea, Middlesex, carpenter and builder, Feb. 10 and March 15 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Smith, Temple-chambers, Fleet-street.—Fiat dated Jan. 25.

FRANCIS CLOWES, Norwich, trader, (carrying on business as an auctioneer and appraiser, and lately residing at Chigwell, Essex, and at that time exercising the business of a stock jobber, on the Stock Exchange, in Capel-court, London, and prior thereto following and executing the office of Secretary to a Company formed for Railway purposes, called the Bideford and Tavistock Railway Company, at the Offices of the said Company, 44, Finsbury-circus, London, and before that time carrying on and exercising in partnership with one Peter Lund Simmonds, 18, Cornhill, London, the trade and business of publishers, foreign newspaper, advertising, and foreign and colonial agents and commission merchants, dealers and chapmen, under the style and firm of Simmonds & Clowes), Feb. 5 at 12, and March 12 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Storey, Featherstone-buildings, Holborn.—Fiat dated Jan. 22.

GEORGE CHEETHAM, Frindsbury, Kent, shipbuilder, dealer and chapman, Feb. 5 at half-past 1, and March 19 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Morgan, Maidstone; Nicholls & Doyle, Bedford-row.—Fiat dated Jan. 20.

ALBERT READ, Worthing, Sussex, scrivener and attorney at law, Feb. 16 at half-past 12, and March 24 at 12, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Mardon & Pritchard, 99, Newgate-street.—Fiat dated Jan. 29.

CHARLES SAXON HOOPER and RALPH ADDISON, Lawrence Pountney-lane, London, merchants, (trading under the style and firm of Hooper, Addison, & Co.), Feb. 9 at 2, and March 24 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Towse, Lawrence Pountney-lane.—Fiat dated Jan. 9.

WILLIAM LANCASTER, Regent-street and Carlton-street, Middlesex, jeweller, dealer and chapman, Feb. 10 at 2, and March 24 at half-past 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Bickley, Mitre-court, Temple.—Fiat dated Jan. 27.

JOSEPH PEACHEY, Colchester, Essex, cabinet maker and furniture broker, dealer and chapman, Feb. 9 at half-past 2, and March 9 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Bickley, 34, Moorgate-street.—Fiat dated Jan. 26.

HENRY HAWGOOD, Newington-causeway, Surrey, stationer, dealer and chapman, Feb. 7 at half-past 12, and March 8 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Parsons, Temple-chambers.—Fiat dated Jan. 26.

THOMAS BOURNE, Birmingham, coal dealer and scale beam maker, dealer and chapman, Feb. 14 and March 7 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Harrison, Birmingham; Jackson, 2, Field-court, Gray's-inn, London.—Fiat dated Jan. 24.

WILLIAM SAXE PEARSON, Burslem, Staffordshire, druggist, dealer and chapman, Feb. 13 and March 13 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Chaplin, Birmingham; Keary & Sheppard, Stoke-upon-Trent.—Fiat dated Jan. 19.

THOMAS GUY POCOCK, Gawbridge Mills, Kingsbury Episcopi, Somersetshire, miller, Feb. 8 at 1, and March 14 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Slade & Vining, Yeovil; Terrell, Exeter; Penkivil, New-st., Finsbury, London.—Fiat dated Jan. 16.

JAMES PULLIN, late of West End, Wickwar, Gloucestershire, haullier for hire, dealer and chapman, afterwards of Pyrton, Lydney, Gloucestershire, farmer and haullier for hire, dealer and chapman, and now of Pyrton, out of business, Feb. 13 and March 13 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Smith, Newnham; Blake & Goold, Blackfriars-road, London.—Fiat dated Jan. 26.

THOMAS BARRACLOUGH and JOHN EVERITT, Bottoms Mill, Southowram, Halifax, Yorkshire, woollen spinners and woollen manufacturers, (carrying on business under the firm of Thomas Barraclough & Co.), Feb. 16 and March 30 at 11, District Court of Bankruptcy, Leeds; Off. Ass. Freeman; Sols. Wavell, Halifax; Courtenay, Leeds; Gregory & Co., Bedford-row, London.—Fiat dated Jan. 19.

HENRY COGSWELL, Wotton-under-Edge, Gloucestershire, paper maker, postmaster, dealer and chapman, Feb. 13 and March 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. W. and C. Bevan, Bristol; Howall, King-street, Cheapside, London.—Fiat dated Jan. 22.

ROBERT TURNER, Sheffield, Yorkshire, leather dealer, dealer and chapman, Feb. 10 at half-past 12, and March 10 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Ryall, Sheffield; Moss, Serjeant's-inn, London.—Fiat dated Jan. 24.

WILLIAM HAMMERTON, Kingston-upon-Hull, tinman and brazier, dealer and chapman, Feb. 14 and March 7 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Frost, Hull; Hodgson, Birmingham; Vincent, Temple, London.—Fiat dated Jan. 13.

HENRY DEAN, Chester, wine and spirit merchant, dealer and chapman, Feb. 13 and March 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Cunnah, Chester; Raw, Furnival's-inn, London.—Fiat dated Jan. 24.

JAMES WILSON JEFFRYES and JOHN MEEK, Liverpool, merchants, Feb. 19 and March 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Fletcher & Hall, Liverpool; Cotterill, Throgmorton-street, London.—Fiat dated Jan. 24.

CUTHBERT SMITH FENWICK, Tynemouth, Northumberland, banker, dealer and chapman, Feb. 15 at half-past 12, and March 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Brown, Newcastle-upon-Tyne; Brooksbank & Farn, 14, Gray's-inn-square, London.—Fiat dated Jan. 24.

HUGH COWAN, Stockton-upon-Tees, Durham, tailor and draper, Feb. 13 and March 12 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker: Sols. Cooper, Sunderland; Cowan, Newcastle-upon-Tyne.—Fiat dated Jan. 19.

MEETINGS.

Martin Nunn, Regent's-circus, Oxford-street, Middlesex, child-bed linen warehouseman, Feb. 10 at 1, Court of Bankruptcy, London, last ex.—*Thomas Hutchinson*, Upper Stamford-street, Blackfriars-road, Surrey, sugar refiner, Feb. 10 at half-past 1, Court of Bankruptcy, London, last ex.—*Wm. Corns* the younger, Wolverhampton, Staffordshire, builder, Feb. 10 at 12, District Court of Bankruptcy, Birmingham, last ex.—*John Dallinger*, Wickham Market, Suffolk, broker, Feb. 22 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Stiles*, Lisle-street, Leicester-square, Middlesex, coppersmith, Feb. 21 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. M. Hill*, Charlton-place, Islington, Middlesex, builder, Feb. 21 at 11, Court of Bankruptcy, London, aud. ac.—*Richard B. Scale*, Leytonstone, Essex, lodging-house keeper, Feb. 22 at 11, Court of Bankruptcy, London, aud. ac. and div.—*R. Beard*, Herne-bay, Kent, coal dealer, Feb. 22 at 11, Court of Bankruptcy, London, aud. ac.—*Jos. Raleigh*, *Thomas S. Goode*, and *Wm. Holland*, Manchester, merchants, Feb. 22 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Wylam* and *Joshua Greene* the younger, Newcastle-upon-Tyne, merchants, Feb. 23 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. joint est.; Feb. 22 at half-past 11, aud. ac. sep. est.; Feb. 23 at 1, div. sep. est.—*John S. Rablah*, Barnard Castle, Durham, tanner, Feb. 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Feb. 22 at half-past 10, fin. div.—*Watts Wrigley* and *Thomas Wrigley*, Holmefield Mills, Ovenden, Halifax, Yorkshire, silk waste spinners, Feb. 22 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Henry A. Stewart*, Liverpool, ship broker, Feb. 20 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Francis Deflinne*, Manchester, gingham manufacturer, Feb. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 21 at 12, div.—*Thomas Wallis*, Oxford-st., Middlesex, woollen draper, Feb. 22 at half-past 11, Court of Bankruptcy, London, div.—*Arthur Lett*, Commercial-road, Lambeth, Surrey, timber merchant, Feb. 22 at 11, Court of Bankruptcy, London, div.—*John Clemetson*, Upper Thames-st., London, grocer, Feb. 22 at 12, Court of Bankruptcy, London, div.—*George Kiallmark*, Hampstead-street, St. Pancras, Middlesex, music seller, Feb. 22 at 2, Court of Bankruptcy, London, div.—*Jas. Barnett* and *Thos. Hancock*, Conduit-street, Regent-st., Middlesex, ladies' boot

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makers, Feb. 22 at 1, Court of Bankruptcy, London, div.—*Chas. Jas. Hammer*, Upper Lawn, Shropshire, cattle dealer, Feb. 20 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 27 at 10, div.—*John Hind* and *R. Warbrick*, Liverpool, curriers, Feb. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Nicholas Brown*, Hexham, Northumberland, timber merchant, Feb. 22 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas J. Croggon, Ingram-court, Fenchurch-st., London, commission agent, Feb. 22 at 12, Court of Bankruptcy, London.—*Wm. S. Martin*, Brighton, Sussex, brush maker, Feb. 21 at 12, Court of Bankruptcy, London.—*Blades Pallister*, Gravesend, Kent, innkeeper, Feb. 21 at 12, Court of Bankruptcy, London.—*James Brown Firmin*, Little Chesterford, Essex, lime burner, Feb. 21 at 11, Court of Bankruptcy, London.—*John Dallinger*, Wickham-market, Suffolk, broker, Feb. 22 at 12, Court of Bankruptcy, London.—*Fred. Clark*, Bentinck-street, Middlesex, auctioneer, Feb. 21 at 1, Court of Bankruptcy, London.—*Robert Swan*, Winchmore-hill, Middlesex, dealer in cattle, Feb. 22 at 1, Court of Bankruptcy, London.—*Edward Tucker*, Nicholas-lane, London, dealer in shares, Feb. 22 at 11, Court of Bankruptcy, London.—*Nich. Brown*, Hexham, Northumberland, timber merchant, Feb. 22 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*R. Davies*, Cwn Tawr, Ystradgunlais, Brecknockshire, innkeeper, Feb. 23 at 11, District Court of Bankruptcy, Bristol.—*J. Lord*, Crawshaw Booth, Lancashire, cotton manufacturer, Feb. 21 at 12, District Court of Bankruptcy, Manchester.—*George Radford*, Alfreton, Derbyshire, builder, Feb. 26 at 12, District Court of Bankruptcy, Manchester.—*F. Cranshire*, innkeeper, Feb. 21 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*Hugh Kennedy*, Taunton, Somersetshire, draper, Feb. 27 at 11, District Court of Bankruptcy, Exeter.—*Thos. N. Heyward*, Torquay, Devonshire, grocer, Feb. 27 at 11, District Court of Bankruptcy, Exeter. *James Crocker*, Sherborne, Dorsetshire, innkeeper, Feb. 27 at 11, District Court of Bankruptcy, Exeter.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 20.

Jason Pigg, Fulbourn, Cambridge, grocer.—*James Foster*, Wilson-st., Finsbury, Middlesex, fringe manufacturer.—*Geo. Browne*, Twyning, Gloucestershire, wharfinger.—*I. Battie*, Erith, Kent, licensed victualler.—*John Atkins*, West Cowes, Isle of Wight, Hampshire, wine merchant.—*James Brown*, Cold Harbour-lane, East Brixton, Surrey, builder.—*Matthew Warren*, Macclesfield, Cheshire, silk dyer.—*George Wood*, *John W. Little*, *John C. Spender*, *Wm. Brunton*, and *Joseph Rusher*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturers.—*Sam. Barrow*, Hulme, Lancashire, plasterer.—*Meshach Sheen*, Lower Marsh, Lambeth, Surrey, potato merchant.—*Wm. Aldred*, George-street, New Kent-road, Surrey, builder.—*Chas. Smith*, Burwood-house, Avenue-road, St. John's-wood, Middlesex, builder.—*W. Drinkwater*, Liverpool, draper.—*Jos. I. Winstanley*, King William-street, London, hosier.—*James Ingram*, Liverpool, merchant.—*Hen. Nicholls*, Eastham, innkeeper, and *Thos. Hilliar*, Birkenhead, Cheshire, scrivener.

FIAT ANNULLED.

Thomas Livesley, Liverpool, hotel keeper.

PARTNERSHIP DISSOLVED.

Northmore Herle Pierce Lawrence and *Samuel Rowles Pattison*, Launceston, Cornwall, attornies at law, (trading under the firm of Lawrence & Pattison).

SCOTCH SEQUESTRATIONS.

Thomas M'Feat, Glasgow, spirit merchant.—*Geo. Ferrier*, Edinburgh, bookseller.—*Francis William Loban*, Inverness, brewer.—*John Durward*, Edinburgh, commission merchant.—*Robert Muir*, Vogrie, doctor of medicine.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Job Newberry, South Perrott, Dorsetshire, yeoman, Feb. 13 at 2, County Court of Somersetshire, at Crewkerne.—*Edw. Evans*, Sarn-mill, Flintshire, miller, Feb. 6 at 11, County Court of Flintshire, at Holywell.—*David Morris*, Liverpool, butcher, Feb. 5 at 10, Liverpool District County Court, at Liverpool.—*Chas. Goodfellow*, Andover, Southampton, coach wheelwright, Feb. 20 at 11, County Court of Hampshire, at Andover.—*James Copley*, Ashton-under-Lyne, Lancashire, shopkeeper, Feb. 1 at 10, County Court of Lancashire, at Ashton-under-Lyne.—*James Carter*, Stottesden, Shropshire, wood ranger, Feb. 16 at 10, County Court of Shropshire, at Cleobury Mortimer.—*Samuel Youd*, Wem, Shropshire, dyer, Feb. 12 at 12, County Court of Shropshire, at Wem.—*John Chas. Hibbard*, Hilperton, Wiltshire, butcher, Feb. 9 at 12, County Court of Wiltshire, at Trowbridge.—*John Stone*, St. Issey, Cornwall, butcher, Feb. 17 at 12, County Court of Cornwall, at St. Colomb Major.—*Elisha Crossley*, Otley, Yorkshire, joiner, Feb. 19 at 11, County Court of Yorkshire, at Otley.—*Wm. Tout*, Neath, Glamorganshire, grocer, Feb. 14 at 10, County Court of Glamorganshire, at Neath.—*Henry Bevan*, Penrhwtyne, Neath, Glamorganshire, licensed victualler, Feb. 14 at 10, County Court of Glamorganshire, at Neath.—*Isabella Cowling*, widow, Silsden, Kildwick, Yorkshire, small farmer, Feb. 21 at 11, County Court of Yorkshire, at Keighley.—*Wm. Taunton*, Coventry, appraiser, Feb. 24 at 10, County Court of Warwickshire, at Coventry.—*David Hassall Miles*, Coventry, Warwickshire, ribbon weaver, Feb. 24 at 10, County Court of Warwickshire, at Coventry.—*Wm. Lole*, Bulkington, Warwickshire, out of business, Feb. 22 at 10, County Court of Warwickshire, at Nuneaton.—*George Routh Howard*, Hameringham, Lincolnshire, clerk, March 8 at 10, County Court of Lincolnshire, at Horncastle.—*Ralph Lomas*, Manchester, retail beer seller, Feb. 9 at 1, County Court of Lancashire, at Manchester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 13 *at* 11, *before the* CHIEF COMMISSIONER.

Hannibal Gardner, Red Lion-st., Clerkenwell, Middlesex, clerk to a law stationer.—*John Beavan*, New Oxford-street, Holborn, Middlesex, hair dresser.—*John C. Webb*, Holmes-terrace, Kentish-town, and Cursitor-street, Chancery-lane, Middlesex, bookseller.

Feb. 13 *at* 11, *before Mr. Commissioner* HARRIS.

Chas. Jackson, London-st., Greenwich, Kent, shoemaker.—*Robert Rule*, Leschalles-place, Broad-st., St. Giles, Middlesex, out of business.—*Hen. T. Stannenutt*, Union-street, Southwark, Surrey, barman to a beer-shop keeper.—*James Mortimer*, Stanley-pl., Paddington-green, Paddington, Middlesex, builder's clerk.

Feb. 13 *at* 10, *before Mr. Commissioner* LAW.

The Rev. Grainger L. Towers, Burwash, Sussex, clerk.—*Edward Bray*, Salisbury-st., Agar-town, near Camden-town, Middlesex, cowkeeper.

Feb. 15 *at* 11, *before the* CHIEF COMMISSIONER.

Luke Cherry, Ernest-street, Regent's-park, Middlesex, carpenter.

Feb. 15 *at* 11, *before Mr. Commissioner* PHILLIPS.

George Pugh, Singlegate, Merton, Surrey, block cutter.—*Charles Binyon*, King-street, Haggerston, Middlesex, millboard box maker.

Saturday, Jan. 27.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Gaston, Epsord, Surrey, whitesmith, No. 60,357 C.; George Rich, assignee.—*Wm. Jones*, Pantycelin, Glamorganshire, publican, No. 70,150 C.; John Jones, assignee.—*James Stott*, Oldham, Lancashire, provision shopkeeper, No. 70,386 C.; Joseph Dobell, assignee.—*Daniel Cole*, Droitwich, Worcestershire, beer-house keeper, No. 69,402 C.; George Finch, assignee.—*Robt. Boardman*, Manchester, broker, No. 70,446 C.; Wm. Mycock, assignee.—*David Jos. Henry*, Liverpool, civil engineer, No. 70,461 C.; James Whitham, assignee.—*J. Jackson*, Crosby, near Liverpool, gentleman, No. 70,466 C.;

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Luke Swallow, assignee.—*John Ingham*, Hulme, Manchester, out of business, No. 70,483 C.; Henry Smalley, assignee.—*Thomas Alesworth*, Liverpool, merchant, No. 70,503 C.; S. Phillips and C. Phillips, assignees.—*Fred. George Crossley*, Halifax, Yorkshire, share broker, No. 70,406 C.; F. Crossley, assignee.—*Thomas Roberts*, Manchester, provision dealer, No. 70,449 C.; Wm. Mycock, assignee.

County Court of Northumberland, at MORPETH, *Dec.* 23.

An Assignee has been appointed in the following Case.

Wm. Kevan, Hexham, Northumberland, tea dealer; Hugh M'Harg, assignee.

Saturday, Jan. 27.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Jacobs the elder, Bennett-st., Stamford-st., Blackfriars-road, Surrey, fruit grocer: in the Debtors Prison for London and Middlesex.—*Fred. Clark*, Holles-st., Cavendish-square, Middlesex, surgeon-dentist: in the Queen's Prison.—*Francis Field*, Luton, Bedfordshire, straw plait manufacturer: in the Debtors Prison for London and Middlesex.—*Charles Sam. Willis*, Jermyn-street, St. James's, Middlesex, hair dresser: in the Queen's Prison.—*Isaac Manvell*, Park-terrace, Well-st., Hackney, Middlesex, beer seller on commission: in the Queen's Prison.—*Chas. Brook*, Horsley-street, Walworth-common, Surrey, carpenter: in the Queen's Prison.—*Louis Onezime Benj. Vandeau*, Phœnix-wharf, Battersea, Surrey, refiner of oil: in the Gaol of Surrey.—*Reginald Remington* the younger, Hollywell-st., Strand, Middlesex, attorney at law: in the Queen's Prison.—*Benj. Brook*, Seymour-place, Bryanstone-square, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*Thomas Casey*, Hornton-terrace, Kensington, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Sam. Butler Gee*, Tottenham-court-road, Middlesex, draper's assistant: in the Debtors Prison for London and Middlesex.—*Wm. Haynes*, Remington-st., City-road, Middlesex, meat salesman: in the Queen's Prison.—*Geo. Jos. Pitman*, Upper Islington-terrace, Islington, Middlesex, attorney at law: in the Queen's Prison.—*Geo. Webster*, Bellevue-villas, Choumert-place, Rye-lane, Peckham, Surrey, dealer in stuff goods: in the Queen's Prison.—*Thomas North*, London-road, Southwark, Surrey, foreman to a zinc worker: in the Gaol of Horsemonger-lane.—*Alfread Allistone*, High-st., Hounslow, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Ely Walker Crowther*, Phillip-lane, London-wall, London, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*John Jackson*, Bishopsgate-st. Without, Middlesex, assistant to a dealer in china: in the Debtors Prison for London and Middlesex.—*J. Rutter Wild*, Grove-place, Camberwell-grove, Camberwell, Surrey, undertaker: in the Gaol of Horsemonger-lane.

(On Creditors' Petitions).

Richard Tomkins, Grange-road, Bermondsey, Surrey, out of business: in the Gaol of Horsemonger-lane.—*Geo. Jarrett*, Upper Ebury-st., Pimlico, Middlesex, straw hat manufacturer: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Augustus Benj. Adams, Landport, Portsea, Southampton, convict guard: in the Gaol of Winchester.—*John Bindley*, Shropshire-row, near Bilston, Staffordshire, draper: in the Gaol of Coventry.—*Robert Birch*, Pendleton, Salford, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Samuel Ellithorn*, Preston, Lancashire, keeper of public baths: in the Gaol of Lancaster.—*Chas. Hooper*, Horsington, near Wincanton, Somersetshire, baker: in the Gaol of Wilton.—*Joseph James*, Caepentwyall, Merthyr Tydvil, Glamorganshire, railman: in the Gaol of Cardiff.—*Wm. Sedgley*, Brierly-hill, Staffordshire, retail brewer: in the Gaol of Coventry.—*Griffith Morris Howell*, Carmarthen, draper: in the Gaol of Carmarthen.—*Chas. Upton*, Speldhurst, Kent, farmer: in the Gaol of Maidstone.—*Chas. Edwin Ballam*, Birmingham, fluter of silver wares: in the Gaol of Coventry.—*Jacob Barnett*, Oxford, in no business: in the Gaol of Oxford.—*Thos. Dearden*, Oldham, Lancashire, cotton spinner: in the Gaol of Lancaster.—*Thos. Atkinson Jackson*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*John Strehorn*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*John Thompson*, Knaresborough, Yorkshire, shopkeeper: in the Gaol of York.—*Benj. Wood*, Leeds, Yorkshire, out of business: in the Gaol of York.—*David Williams*, Merthyr Tydfil, Glamorganshire, innkeeper: in the Gaol of Cardiff.—*Wm. Brown*, Rochdale, Lancashire, cheese factor: in the Gaol of Lancaster.—*Wm. Cluff*, Kingham, Oxfordshire, farmer: in the Gaol of Gloucester.—*James Arthur Davison*, Newcastle-upon-Tyne, draper: in the Gaol of Newcastle-upon-Tyne.—*John Pattison*, Newcastle-upon-Tyne, painter: in the Gaol of Newcastle-upon-Tyne.—*Alfred Playstead Bartlett*, Lewes, Sussex, painter: in the Gaol of Lewes.—*John Chadwick*, Baxenden, near Accrington, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Elliott*, Newcastle-upon-Tyne, boat builder: in the Gaol of Newcastle-upon-Tyne.—*J. Harrison*, Bradford, Yorkshire, out of business: in the Gaol of York.—*Jas. Marsden*, Dewsbury, Yorkshire, hat manufacturer: in the Gaol of York.—*John Wilson Morison*, Toxteth-park, Liverpool, joiner: in the Gaol of Lancaster.—*J. Shuttleworth*, Liverpool, agent: in the Gaol of Lancaster.—*John Alonzo Sanders*, Birkenhead, Cheshire, grocer: in the Gaol of Chester.—*Hen. Holderness*, Manchester, licensed victualler: in the Gaol of Lancaster.—*John Elliott*, Hulme, Manchester, packer: in the Gaol of Lancaster.—*John Littlewood*, Great Yarmouth, Norfolk, publican: in the Gaol of Norwich.—*James Manning Denew*, Great Yarmouth, Norfolk, printer: in the Gaol of Norwich.—*John Whitfield Hogg*, South Shields, Durham, fruiterer: in the Gaol of Durham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 14 *at* 10, *before Mr. Commissioner* LAW.

Benjamin Samo, Regent-st., Middlesex, out of business.—*Lazare Francois Vaudelin*, Upper Charlotte-street, Fitzroy-square, Middlesex, foreman to a cabinet maker.—*Thos. Burn Desormeaux*, Little Moorfields, London, deputy sea coal meter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Buckinghamshire, at AYLESBURY, *Feb.* 13 *at* 12.

Abel Ashford, Datchett, out of business.

At the County Court of Warwickshire, at COVENTRY, *Feb.* 24.

Wm. Chawner, Birmingham, out of business.—*Wm. Sedgley*, Brierly-hill, Staffordshire, retail brewer.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *Feb.* 15 *at* 10.

James Arthur Davison, Newcastle-upon-Tyne, draper.—*John Elliott*, Newcastle-upon-Tyne, boat builder.—*John Pattison*, Newcastle-upon-Tyne, painter.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Feb.* 16 *at* 10.

Wm. Hughes, Devonport and Plymouth, Devonshire, barrister at law.

At the County Court of Oxfordshire, at OXFORD, *Feb.* 13.

John Pharaoh, Oxford, licensed victualler.—*Jacob Barnett*, Oxford, in no business.

At the County Court of Cornwall, at BODMIN, *Feb.* 7 *at* 10.

George Robins, Davidstow, farmer.—*John Sheer Robins*, Davidstow, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Lye, Skinner-st., Bishopsgate, London, licensed victualler, Fyson & Co.'s, 3, Frederick's-place, Old Jewry: 17*s.* 6*d.* in the pound.

FRIDAY, FEBRUARY 2.

INSOLVENT.

WILLIAM THOMAS, Prendergast, Haverfordwest, timber merchant, ironmonger, dealer and chapman.

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BANKRUPTS.

JOHN GEORGE FULLER, St. James's-street, Middlesex, and Streatham, Surrey, wine merchant, dealer and chapman, Feb. 14 and March 16 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Taylor & Collisson, Great James-street.—Fiat dated Jan. 31.

WILLIAM FULLER, Charles-street, Hatton-garden, Middlesex, lamp manufacturer and gas fitter, Feb. 14 and March 16 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Russell, Martin's-lane, Cannon-street.—Fiat dated Jan. 31.

JOSEPH FLEMMING, Salter's Hall-court, Cannon-street, London, printer and stationer, Feb. 8 at half-past 1, and March 15 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Winter & Co., 16, Bedford-row. — Fiat dated Jan. 23.

WILLIAM ANDERSON, Nelson-street, City-road, and Norman's-buildings, Middlesex, engineer trader, dealer and chapman, Feb. 14 and March 15 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Fiat dated Feb. 1.

HENRY WHITFIELD, Stafford, builder and carpenter, dealer and chapman, Feb. 14 and March 7 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Flint, Stafford.—Fiat dated Jan. 30.

THOMAS STANLEY, Dudley, Worcestershire, and Tipton, Staffordshire, printer, bookseller, and stationer, dealer and chapman, Feb. 10 and March 7 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Boddington, Dudley.—Fiat dated Jan. 29.

BERNARD CAVANNA, Wootton Bassett, Wiltshire, clothier, dealer and chapman, Feb. 15 and March 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Stanley & Wasbrough, Bristol; White & Co., Bedford-row, London.—Fiat dated Jan. 29.

THOMAS GRIMBLY, late of Chipping Campden and Mickleton, Gloucestershire, grocer and provision dealer, but now of Stratford-upon-Avon, Warwickshire, commercial clerk and traveller, dealer and chapman, Feb. 16 and March 16 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Sabine, Bristol; Greaves, Stratford-upon-Avon.—Fiat dated Jan. 27.

HENRY PHILIP GILBERT, Plymouth, Devonshire, carpenter and joiner, dealer and chapman, Feb. 13 and March 7 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Lavers, jun., Plymouth; Stogdon, Exeter; Pontifex & Moginie, St. Andrew's-court, Holborn, London. —Fiat dated Jan. 27.

EDWARD HOWITT, Lincoln, miller and baker, Feb. 21 and March 14 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Brown, Lincoln; Shackles & Son, Hull; Rogerson, Lincoln's-inn-fields, London.—Fiat dated Jan. 26.

THOMAS RUSHFORTH, Leeds, Yorkshire, victualler, innkeeper, dealer in wines and spirits, dealer and chapman, Feb. 13 and March 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Myers, Leeds; Wigleworth & Co., Gray's-inn, London.—Fiat dated Jan. 23.

THOMAS DAVISON, Hunslet, Leeds, carriage builder, dealer and chapman, Feb. 16 and March 30 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Harle & Clarke, Leeds; Trinder & Eyre, John-street, Bedford-row.—Fiat dated Jan. 27.

CALEB BELL, Darlington, Durham, whitesmith, Feb. 15 at 11, and March 13 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Mewburn, Darlington; Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne.—Fiat dated Jan. 26.

MEETINGS.

John Darby, Dorset-mews, Dorset-square, Middlesex, horse dealer, Feb. 13 at 11, Court of Bankruptcy, London, last ex. —*Thos. Robert Jenks*, Birmingham, jeweller, Feb. 20 at 10, District Court of Bankruptcy, Birmingham, last ex.—*John Yates* the younger, Colwich, Staffordshire, corn factor, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, last ex. —*John W. Burton*, *Geo. Cotman*, and *Wm. Smith*, Manchester, and Leeds, Yorkshire, manufacturers, Feb. 15 at 12, District Court of Bankruptcy, Manchester, last ex.—*P. Clark* the younger, Colchester, Essex, pawnbroker, Feb. 26 at 1, Court of Bankruptcy, London, aud. ac.—*John Peterson*, Mount-street, Lambeth, Surrey, shoemaker, Feb. 26 at half-past 11, Court of Bankruptcy, London, aud. ac.—*J. Bennett*, Hart-street, Bloomsbury, and High-street, Camden-town, Middlesex, artists' brush manufacturer, Feb. 27 at 11, Court of Bankruptcy, London, aud. ac.—*John Giles*, Shoreditch, Middlesex, clothier, Feb. 23 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Wreford*, *Edwin C. Nicholls*, and *Wm. E. Wreford*, Bristol, stock brokers, March 2 at 11, District Court of Bankruptcy, Bristol, aud. ac. joint and sep. est.—*Robt. C. Brand*, Wigan, Lancashire, linen draper, Feb. 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*J. Ogden*, Reddish, Lancashire, cotton spinner, Feb. 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*G. Douglas*, Bury, Lancashire, draper, Feb. 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Insall*, Shipston-on-Stour, Worcestershire, auctioneer, Feb. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac. —*Wm. Grosvenor*, Shelton, and Hanley, Stoke-upon-Trent, Staffordshire, ironfounder, Feb. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Heatherley*, Wolverhampton, Staffordshire, miller, Feb. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Jones James*, Chatford, Condover, Shropshire, corn dealer, Feb. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Henry Johnson*, Sheffield, Yorkshire, merchant, Feb. 24 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Wm. Moore Horsfall*, Huddersfield, Yorkshire, out of business, Feb. 23 at 11, District Court of Bankruptcy, Leeds, aud. ac. —*Weetman Dickinson*, Clayton West, Yorkshire, corn dealer, Feb. 27 at 11, District Court of Bankruptcy, Leeds, aud. ac. —*John Deeley*, West Bromwich, Staffordshire, iron founder, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Matthews* and *Chas. Decimus Matthews*, Chipping Norton, Oxfordshire, and Chipping Campden, Gloucestershire, bankers, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac. sep. est. of *J. Matthews*.—*C. Ashford*, Birmingham, packing-case maker, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Crudgington* and *T. Southall*, Lea Brook Iron Works, Tipton, Staffordshire, iron masters, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac. sep. est. of *Charles Crudgington*.—*John Cole Gwillim*, Bishop's Froome, Herefordshire, cattle dealer, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Gabriel Benda*, Camomile-st., London, importer of foreign goods, Feb. 23 at 11, Court of Bankruptcy, London, div. — *Thos. Broad*, Penzance, Cornwall, linen draper, Feb. 23 at half-past 11, Court of Bankruptcy, London, div.—*Richard Grimbly*, Banbury, Oxfordshire, wine merchant, Feb. 23 at 11, Court of Bankruptcy, London, div.—*J. Clark* and *F. E. L. Clark*, Pudding-lane, London, ship brokers, Feb. 23 at 11, Court of Bankruptcy, London, div. sep. est. of *John Clark*.—*Godwin Pilsworth Kennan*, Philip-lane, London-wall, London, licensed victualler, Feb. 26 at 12, Court of Bankruptcy, London, div. —*John George Moore* and *Henry Bayliss*, Norwich, warehousemen, Feb. 23 at 2, Court of Bankruptcy, London, div. joint est., and first and fin. div. sep. est. of *John Geo. Moore*. —*John Burbridge* and *Robert Burbridge*, Upper Whitecross-st., Middlesex, grocers, Feb. 23 at 1, Court of Bankruptcy, London, div.—*Thos. Hall* and *John Peake*, Litchfield, ironmongers, Feb. 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div. sep. est. of *T. Hall*.—*Wm. Glover*, Leeds, Yorkshire, woollen manufacturer, Feb. 23 at 11, District Court of Bankruptcy, Leeds, div.—*Watts Wrigley* and *Thos. Wrigley*, Holmefield-mills, Ovenden, Halifax, Yorkshire, silk waste spinners, Feb. 23 at 11, District Court of Bankruptcy, Leeds, div.—*Hen. Alex. Stewart*, Liverpool, ship broker, Feb. 23 at 11, District Court of Bankruptcy, Liverpool, div.—*John Lovesy*, Cheltenham, Gloucestershire, librarian, Feb. 27 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Jos. Raleigh*, *Thos. Smith Goode*, and *William Holland*, Manchester, merchants, Feb. 23 at 12, District Court of Bankruptcy, Manchester, fin. div. joint and sep. est.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Holdaway, Petersfield, Southampton, brewer, Feb. 27 at 1, Court of Bankruptcy, London.—*Alex. Haigh*, Smith-st., Jubilee-place, Stepney, and Essex-st., Cambridge-

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road, Mile-end, Middlesex, engineer, Feb. 23 at 12, Court of Bankruptcy, London.—*Robert Neal*, Wandsworth-common, Surrey, nurseryman, Feb. 23 at 1, Court of Bankruptcy, London.—*George Ackland*, Loughborough-road, Brixton, Surrey, merchant, Feb. 23 at 11, Court of Bankruptcy, London.—*Hen. Owsin*, Cecil-st., Strand, Middlesex, merchant, Feb. 23 at 11, Court of Bankruptcy, London. — *Peter Clark* the younger, Colchester, Essex, pawnbroker, Feb. 26 at 1, Court of Bankruptcy, London.—*Alex. Anderson Black*, Liverpool, merchant, Feb. 26 at 11, District Court of Bankruptcy, Liverpool.—*John Hall*, Shrewsbury, Shropshire, timber merchant, Feb. 27 at 10, District Court of Bankruptcy, Birmingham.—*John Hall* the younger, Shrewsbury, Shropshire, timber merchant, Feb. 27 at 10, District Court of Bankruptcy, Birmingham.—*Jos. Stevens* the younger, Coalbourn-brook, Oldswinford, Staffordshire, glass manufacturer, Feb. 27 at 10, District Court of Bankruptcy, Birmingham.—*Wm. MacCann*, Liverpool, merchant, Feb. 23 at 11, District Court of Bankruptcy, Liverpool.—*Thos. Coleby*, Springfield Mill, Salford, Lancashire, cotton spinner, Feb. 26 at 12, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 23.

James Graves, Bury St. Edmund's, Suffolk, boot maker.—*Wm. Angus*, Gateshead, Durham, banker. — *Jas. Orme*, Bootle-cum-Linacre, Lancashire, hotel keeper.—*Thos. Cooke*, Liverpool, warehouse keeper.—*Sarah Whitehouse*, *Edwin Whitehouse*, and *Alfred Whitehouse*, Newland, Gloucestershire, and Monmouth, tin plate manufacturers.—*Wm Henry Mackey*, Southampton, attorney. — *George Porter Cosier*, Botley, Southampton, corn merchant.—*Wm. Kuper*, Grand Surrey-canal, Camberwell, Surrey, wire rope maker.—*Joshua Rhodes*, Queen's-row, Pimlico, Middlesex, builder.—*Edward Lyne*, Liskeard, Cornwall, attorney at law.

SCOTCH SEQUESTRATIONS.

James M'Donald, Dundee, baker.—*John Smellie*, Partick, wright.

DECLARATION OF INSOLVENCY.

J. Broomhead the elder, Liverpool, butcher, Feb. 12 at 10, County Court of Lancashire, at Liverpool.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Watson, Wakefield, Yorkshire, innkeeper, Feb. 17 at 10, County Court of Yorkshire, at Wakefield.—*Dan. Thomas*, Swinford, Leicestershire, miller, Feb. 21 at 3, County Court of Leicestershire, at Lutterworth.—*Fred. Coles*, Lake, Tawstock, Devonshire, labourer, Feb. 6 at 10, County Court of Devonshire, at Barnstaple.—*Henry Harris*, Newport, Bishop's Tawton, Devonshire, coal merchant, Feb. 6 at 10, County Court of Devonshire, at Barnstaple.—*Joseph Stead*, Halifax, Yorkshire, linen draper, Feb. 16 at 10, County Court of Yorkshire, at Halifax.—*J. Priestley*, Halifax, Yorkshire, shopkeeper, Feb. 16 at 10, County Court of Yorkshire, at Halifax.—*Wm. Hadley*, Cradley, Worcestershire, out of business, Feb. 19 at 10, County Court of Worcestershire, at Stourbridge. —*Benj. Scriven*, Brierley-hill, Kingswinford, Staffordshire, out of business, Feb. 19 at 10, County Court of Worcestershire, at Stourbridge. — *John Sanderson*, Hilton, near Appleby, Westmoreland, licensed victualler, Feb. 23 at 10, County Court of Westmoreland, at Appleby.—*Geo. Bradshaw*, Wrexham Regis, Denbighshire, wine merchant, Feb. 20 at 10, County Court of Denbighshire, at Wrexham.—*Jas. Harrison*, Aston, Warwickshire, farmer, Feb. 10 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Cheesman*, Flimwell, Ticehurst, Sussex, out of business, Feb. 15 at 10, County Court of Kent, at Tonbridge Wells. — *Robert Reid*, Gateshead, Durham, merchant tailor, Feb. 19 at 10, County Court of Durham, at Gateshead.—*Richard Roskelly*, Wonwood, South Sydenham, Devonshire, farmer, Feb. 12 at 10, County Court of Devonshire, at Tavistock.—*J. Prangley*, Corsley, Wiltshire, butcher, Feb. 19 at 12, County Court of Wiltshire, at Warminster.—*Thomas Green*, Kidderminster, Worcestershire, slater, Feb. 21 at 10, County Court of Worcestershire, at Kidderminster.—*Rich. Arblaster*, Ogley Hay, Staffordshire, labourer, Feb. 17 at 10, County Court of Staffordshire, at Lichfield.—*Wm. Marsh*, Pentrecoed, near Duddleston, Ellesmere, Shropshire, butcher, Feb. 16 at 10, County Court of Shropshire, at Oswestry.—*J. Davies*, Plas Newydd, Llanwnog, Montgomeryshire, clerk, Feb. 17 at 10, County Court of Montgomeryshire, at Llanfyllin. — *James Abbott*, Liverpool, estate agent, Feb. 12 at 10, Liverpool District County Court, at Liverpool.—*Wm. R. Shepherd*, Liverpool, cooper, Feb. 12 at 10, Liverpool District County Court, at Liverpool.—*Edward Johnson*, Birkenhead, Cheshire, coach maker, Feb. 13 at 10, County Court of Cheshire, at Birkenhead.—*R. Leech* the elder, Tranmere, Bebbington, Cheshire, warehouseman, Feb. 13 at 10, County Court of Cheshire, at Birkenhead.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 19 *at* 11, *before Mr. Commissioner* PHILLIPS.

James Biddell, South Island-place, Clapham-road, Surrey, hair cutter.—*Wm. Lawrence*, Laurel-cottage, Wood-lane, Highgate, Middlesex, brick maker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 16 *at* 11, *before Mr. Commissioner* HARRIS.

Thomas Quinlan, Upper Thames-st., London, publican.—*John Unsworth*, Providence-place, West-street, Bermondsey, Surrey, whitesmith.—*Wm. Fenner*, Union-street, Borough, Surrey, out of business.

Feb. 17 *at* 11, *before Mr. Commissioner* PHILLIPS.

Henry Jas. Story, Northumberland-court, St. Martin's in the Fields, Westminster, Middlesex, out of business.—*Charles V. Harley*, Paradise-st., Rotherhithe, Surrey, leather seller. —*Edw. L. Isaacs*, Great Prescott-street, Goodman's-fields, Middlesex, watchmaker.—*Fran. Fielde*, Luton, Bedfordshire, straw plait manufacturer.—*John Laws*, Church-st., Bethnal-green, Middlesex, baker. — *James Puttock*, Regent-street, Vauxhall Bridge-road, Westminster, Middlesex, out of business.—*Richard Brown*, Essex-st., Duncan-terrace, Islington, Middlesex, auctioneer.—*W. Schild*, Paradise-st., Rotherhithe, Surrey, baker.

Feb. 19 *at* 11, *before the* CHIEF COMMISSIONER.

Wolf Shreiner, Duke-st., Grosvenor-sq., Middlesex, straw bonnet dealer. — *Samuel Jacobs* the elder, Bennett-street, Stamford-st., Blackfriars-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at NORWICH CASTLE, *Feb.* 17 *at* 10.

Samuel Street, Great Yarmouth, organ builder.—*John Littlewood*, Great Yarmouth, publican.—*James M. Denew*, Great Yarmouth, printer.

At the County Court of Norfolk, at NORWICH, *Feb.* 17 *at* 10.

Robert Hubbard, Framingham, butcher.

At the County Court of Devonshire, at the CASTLE OF EXETER, *Feb.* 16 *at* 10.

Wm. H. L. Carpenter, Exeter, out of business.

At the County Court of Lancashire, at LANCASTER, *Feb.* 16 *at* 10.

John Crossley, Oldham, cotton waste dealer.—*J. Chadwick*, Baxenden, out of business.—*John Strehorn*, Manchester, coal dealer.—*Thomas Dearden*, Oldham, cotton waste spinner.—*Sam. Ellithorn*, Preston, joiner.—*J. W. Morison*, Liverpool, joiner.—*Wm. Culph*, Kirkdale, blacksmith.—*T. A. Jackson*, Liverpool, licensed victualler.—*Thos. Winterbotham*, Pendleton, Salford, out of business.—*John Reed*, Liverpool, baker. —*John Elliott*, Hulme, Manchester, packer.—*Betsy Bonnell*, widow, Lancaster, out of business.—*Wm. H. Turner*, Hulme, Manchester, out of business.—*John Hodson*, Penwortham, near Preston, grocer. — *Timothy Manchester*, Bickerstaffe, near Ormskirk, publican.—*Ann Altham*, widow, Bolton-le-

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Moors, out of business.—*Richard Watson*, Kirkdale, near Liverpool, out of business.—*Chas. Aspden*, Blackburn, cotton spinner.—*Samuel Figgis*, Liverpool, out of business.—*Daniel Cranke*, Ulverston, and Hindpool, Dalton, out of business.—*Abraham Etchells*, Manchester, in no business.—*Robert L. Smith*, Manchester, out of employment.—*John Robinson*, Liverpool, out of business.

Feb. 17, *at the same hour and place.*

Wm. Brown, Rochdale, out of business.

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LONDON, FEBRUARY 10, 1849.

The decision of the Vice-Chancellor Knight Bruce, in the case of *Prince Albert* v. *Strange*, has been affirmed by the Lord Chancellor, not only on the ground on which we understand his Honor to have proceeded, viz. the ground of there being such a right of property in the plaintiffs as to entitle them to prevent the publication of a catalogue of their works; but also on two grounds which we do not collect to have influenced the Vice-Chancellor, viz. the ground, as regards the particular catalogue referred to in the pleadings, of fraud in the defendants as against the public; and, as to the general question of publishing any catalogue, on the ground of fraud in the defendants in obtaining their information*. On the question of property, his Lordship did not go into any lengthened argument, but laid down the principle, as we collected it, thus:—That the author of literary compositions, or the like, has an undoubted property in them, which entitles him to withhold them from being made public; that when a person takes and makes public copies of such works, which, it is admitted, he may not do, he is but taking one mode of conveying to the public knowledge or information of the originals; and that, in publishing a descriptive catalogue, he is only taking another mode of conveying such knowledge or information to the public; that, in both cases, he is giving to the public a knowledge of the unpublished works of an author, which he has a right to withhold and keep for his own use and pleasure.

The principle laid down by this decision is very important, and may have some singular consequences. For although, in legal phraseology, the right established is expressed to be a right of property in a man's own *works*, it is impossible not to see that it is, in effect, a right of privacy—a right of withholding from the public a knowledge of what one has done in the way of literary or other composition. For when the Lord Chancellor speaks of the publication of a catalogue of works being a mode of conveying to the public knowledge of those works, his Lordship, we apprehend, does not, and cannot, mean that it makes the works themselves known, but only that it makes known the fact of their existence, and, generally, what is the subject-matter of them; and when his Lordship holds that there is no substantial distinction between the two acts—that of conveying knowledge by copies and conveying it by catalogues—his Lordship must, we apprehend, be understood to mean, not that there is no substantial distinction as to the nature of the knowledge or information, but none as to the interference with that which his Lordship holds to be the right of the author, namely, the right of withholding from the public not only his work, but all knowledge of or respecting it. The right, therefore, established by the decision of the Lord Chancellor, in *Prince Albert* v. *Strange*, is a right in the author of any composition capable of being made the subject of copyright, (if he has manifested an intention not to allow the public to have any knowledge of it), to restrain any person, whether affected or not by confidence, from publishing to the world any information whatever respecting such author's productions. Whether the Lord Chancellor meant to extend the doctrine to the making manifest to the public any other property of which the

* See the Vice-Chancellor's judgment, ante, p. 52. See also a very correct report of it, in a detached form, in a pamphlet published by Mr. J. H. Cooke, of the Chancery Bar. (Maxwell & Son, London, 1849).

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owner may desire to keep the knowledge to himself—with reference, for example, to such cases as those put by the Vice-Chancellor, of collections of gems, or the like—does not appear from the Lord Chancellor's judgment; but it seems difficult to see how the doctrine should not be applicable to the cases put by the Vice-Chancellor; and the result will be, that, if one has a collection of valuable or choice things of any kind, and manifests an intention of preventing the public from having any knowledge of them or their existence, it will be unlawful for any person, who, by the neglect of the owner or otherwise, may have had communicated to his senses the knowledge of their existence, to communicate that knowledge to the world. A material question, in any questions which will have to be considered with reference to this case, will be, what amounts to a dedication by an author to the public; because the foundation of the decision is, that the author desires that his work shall not be made public, and has done no act to make it public. In *Prince Albert* v. *Strange*, the plaintiffs had undoubtedly suffered their etchings to escape from perfect concealment—that is, they had entrusted them to a servant, (in confidence, it is true), and that servant had, by his neglect, allowed a stranger to obtain a sight of them. This, however, was not, under the circumstances, held to be a dedication to the public; principally, we apprehend, because the plaintiffs having alleged and sworn to circumstances shewing that the etchings could only have been obtained by surreptitious, viz. fraudulent means, the defendant did not specifically deny the allegation, and account for the mode in which the etchings had been obtained, but only averred in general terms his belief that they had been honestly obtained—an averment which obviously gave no information to the Court, and was no more than an expression of opinion, since, in the defendant's notion of honesty, it might be honest to obtain the etchings by surreptitious means.

But put the case, that the defendant had sworn distinctly that copies of the etchings had been shewn to him by a person of such station as to make it probable that he had a right to shew them, and with distinct liberty to make a catalogue of them; or put the case, that the plaintiff's servant had left the etchings exposed publicly in the street, so that any stranger passing by might see them and make a catalogue of them; would such a state of things amount to a dedication to the public sufficient to waive the right of concealment of the author, and let in the right of the percipient to use his senses, and acquire knowledge and use it? These and many other questions will arise, no doubt, in the cases that will follow the case of *Prince Albert* v. *Strange;* and, in the meantime, all that can be said is, that, where an author has not dedicated his works to the public, any other person will be restrained from communicating to the public, not only the works themselves, but the fact of their existence, and the particular designation of their mode of existence.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Frederick Peel, Esq., for the borough of Leominster, in the room of Henry Barkly, Esq., who has accepted the office of Governor of British Guiana.

ON THE PRIVILEGE TO RESIST PRODUCTION OF DOCUMENTS IN A SUIT IN EQUITY.

The recent litigation on the question, as to the extent of the privilege to refuse production of documents which are relevant to the subject-matter of a suit in equity, and in the possession or power of a defendant or witness, has been so frequent as to excite the surprise of one of the Vice-Chancellors in a case lately before him*.

It is true that certain general rules have been for a long time recognised to guide the practice on this subject, although of late their authority has been disputed; but the very nature of the question renders its application to each individual case a matter of some difficulty; and the existence of this difficulty concerning one of the commonest proceedings in Chancery practice may fully account for the number of cases that have lately occurred, without attributing any want of skill or knowledge to the counsel engaged.

The limits of the privilege depend upon the line to be drawn between two conflicting principles: one, of equity jurisprudence; the other, a principle of general expediency. Equity, on the one hand, assumes a right to enforce discovery, on oath, from the defendant in a suit, of all matters within his knowledge relevant to the plaintiff's case. On the other hand, it would often be very unjust, that a defendant should be compelled to produce, for the assistance of his opponent, his most confidential communications with his professional adviser, suggesting, and very possibly exaggerating, any defect of title or weak point in his case, for the very purpose of enabling his solicitor or counsel better to prepare a defence. Nor can it be maintained, that any principle of ethics makes such a discovery an obligation, where the opposite litigant, as is frequently the case, has no higher justice on his side than the defendant.

To every case that arises these two principles must be applied; and, unless the several branches of this Court observe some fixed rules for their guidance, the result will be contrary decisions, as one or the other principle weighs most with each individual judge†.

Until some cases just reported, the decisions on the question of privilege have carefully followed the rules recognised twenty years ago. We propose to state the general result of these cases, and the threatened deviation in the latest of them from the established law.

Supposing, then, that a defendant, in his answer, admits that documents relating to the subject-matter of the suit are in his possession or power, he may yet entitle himself, under certain circumstances, to refuse production of them. But in that case the plaintiff has, primâ facie, a right to move that they may be produced for his inspection; and it is incumbent on the defendant to shew some ground of privilege to prevent their production‡. The motion for production is made upon the statements in the answer; so that, strictly, the admissions of relevancy and possession should be distinct, or necessarily implied to entitle the plaintiff to move; and, on the other hand, the ground for resisting production must be accurately stated, either by the answer or by affidavits in support of it§, to enable the defendant successfully to oppose the motion.

The subject is most conveniently arranged under the following divisions:—

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* See *Pearse* v. *Pearse*, (1 De G. & S. 31).

† See, as an illustration, *Flight* v. *Robinson*, (8 Beav. 36); *Pearse* v. *Pearse*, (1 De G. & S. 12).

‡ Per Cottenham, C., in *Storey* v. *Lord G. Lennox*, (1 My. & C. 535); *Llewellyn* v. *Badeley*, (1 Hare, 527).

§ *Lord Walsingham* v. *Goodricke*, (3 Hare, 122).

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1. Where the documents are cases for the opinion of counsel, or confidential letters between the defendant and his solicitor, not containing legal advice or opinions.

2. Where they are the opinions of counsel, or letters to the defendant from his solicitor containing legal advice.

3. Where they are documents or deeds forming part of the defendant's title exclusively, and not supporting the plaintiff's title or the case made by his bill.

And 4. Where the defendant is himself a solicitor, and information of any kind, or documents, have come to his knowledge or into his possession, in that character, from any of his clients.

With respect to the first of these divisions, cases for counsel and confidential letters between the defendant and his solicitor are classed together, as documents of similar character, as regards the doctrine of privilege.

To entitle them to protection when they are relevant and in his possession, the defendant must aver distinctly that the cases were submitted to counsel, and the letters written, *in contemplation of* the existing suit, (or of an action which that suit seeks to aid or defend by discovery, and which is, therefore, part of the same litigation), *and with reference thereto**.

He must also state that the letters were written, *in confidence*†, to his solicitor *in that character*‡.

Or the defendant must affirm that the cases were submitted, and confidential communications with his solicitor passed, *after the dispute which occasioned the existing suit had arisen*§, *or after the actual commencement of the suit*‖.

Protection was given on one occasion¶, where the answer stated, that the cases and communications with the defendant's solicitor passed after litigation commenced, or in contemplation of litigation, on the same subject, *with other persons*, with a view of asserting the same right, and denied expressly that the cases and communications passed before the dispute arose between the parties to the existing suit. This decision was approved by Vice-Chancellor Wigram—a great authority on this subject—without noticing in his statement of it the denial that the cases and communications passed before the dispute which occasioned the existing suit**. According to his view of the case, therefore, it would have carried the doctrine of privilege farther than preceding decisions with respect to documents of the nature now under consideration.

A larger protection seems to be granted to the second class of documents we have mentioned, viz. opinions of counsel and letters to the defendant from his solicitor containing legal advice.

It seems, that if the defendant state in his answer, that the documents are of this description, and that they contain advice with reference to the very subject-matter of the suit, their nature alone will entitle the opinions and letters to protection, independently of the time when, and the circumstances under which, they were obtained, and where mere cases, and letters containing only statements of facts, would not be privileged*.

In *Radcliffe* v. *Fursman*†, the House of Lords decided, that the opinion of counsel upon a case was privileged when the case itself was not, neither the case nor opinion appearing to have been submitted or obtained in contemplation of any suit then threatened. The authority of this decision, as to the privilege of the opinion, has been recognised by Lord Brougham ‡ and Vice-Chancellor Wigram §, though both seemed to wish to extend the privilege, under like circumstances, to the case as well as the opinion.

The third ground of privilege is still on account of the nature of the documents required to be produced, viz. where they support exclusively the defendant's title.

To protect documents of this nature, the defendant should state *positively*‖ in his answer, that the documents or deeds in question *form part of his title exclusively*¶, *and do not form part of the plaintiff's title***, *and that they do not support, by evidence or otherwise, the case made by the bill*††.

If the defendant is able to make these averments, the documents or deeds will be privileged, for the obvious reason that, under such circumstances, the plaintiff is only seeking to obtain discovery of matters that in no way concern him, and which, if produced, would not assist his case.

But if the defendant set out in his answer an abstract of documents or deeds, which would otherwise be entitled to privilege, and then make profert of them in the words, "as by the said deeds, &c., to which, for greater certainty, the defendant craves leave to refer, when produced, will appear," or in words to that effect, he deprives himself of his right to claim the privilege, because, by this manner of pleading, he has made the deeds or documents part of his answer, and the plaintiff has a right to see that they are correctly stated ‡‡.

The fourth occasion for the protection of documents and communications is on account of the professional character of the person from whom discovery is sought.

The privilege is much more extensive where discovery is sought from a defendant or a witness, being himself a solicitor, of information of any kind, or documents that have come to his knowledge or into his possession, in his professional character, from any of his clients.

All such matters are considered to be in his knowledge or possession as though sub sigillo confessionis. When a solicitor is a defendant in a suit, his clients have a right to expect that he shall not, in matters relating to himself, make a discovery of what has been confided to him by them in professional confidence.

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* *Bolton* v. *The Corporation of Liverpool*, (1 My. & K. 88); *Hughes* v. *Biddulph*, (4 Russ. 190); *Lord Walsingham* v. *Goodricke*, (3 Hare, 125).

† *Hughes* v. *Biddulph*, (ubi supra); *Vent* v. *Pacey*, (4 Russ. 193).

‡ *Garland* v. *Scott*, (3 Sim. 396).

§ *Storey* v. *Lord G. Lennox*, (1 My. & C. 525); *Bolton* v. *The Corporation of Liverpool*, (1 My. & K. 88); *Curling* v. *Perring*, (2 My. & K. 380); *Vent* v. *Pacey*, (4 Russ. 193); *Nias* v. *The Northern and Eastern Railway Company*, (3 My. & C. 355); *Clagett* v. *Phillips*, (2 You. & C. C. C. 82); *Holmes* v. *Badeley*, (1 Phill. 476); *Flight* v. *Robinson*, (8 Beav. 22).

‖ *Bolton* v. *The Corporation of Liverpool*, (ubi sup.); *Garland* v. *Scott*, (3 Sim. 396); *Flight* v. *Robinson*, (ubi sup.)

¶ *Combe* v. *The Corporation of London*, (1 You. & C. C. C. 631).

** See *Lord Walsingham* v. *Goodricke*, (3 Hare, 125).

* *Lord Walsingham* v. *Goodricke*, (3 Hare, 131); *Woods* v. *Woods*, (4 Hare, 83). But see *Flight* v. *Robinson*, (8 Beav. 22).

† 2 Bro. P. C. 514.

‡ *Bolton* v. *The Corporation of Liverpool*, (1 My. & K. 95).

§ *Lord Walsingham* v. *Goodricke*, (3 Hare, 127).

‖ *Banatyne* v. *Leader*, (10 Sim. 230).

¶ *Bolton* v. *The Corporation of Liverpool*, (1 My. & K. 91).

** *Bolton* v. *The Corporation of Liverpool*, (ubi sup.); *Edwards* v. *Jones*, (1 Phill. 501); *Burrell* v. *Nicholson*, (1 My. & K. 680).

†† *Smith* v. *The Duke of Beaufort*, (1 Hare, 507; S. C., 1 Phill. 209); *Llewellyn* v. *Badeley*, (1 Hare, 527); *Marquis of Bute* v. *The Glamorgan Canal Company*, (1 Phill. 681); *Glover* v. *Hall*, (2 Phill. 484).

‡‡ *Hardman* v. *Ellames*, (2 My. & K. 732); *Adams* v. *Fisher*, (3 My. & C. 549); *Welford* v. *Stainthorpe*, (2 Beav. 587); *Phillips* v. *Evans*, (2 You. & C. C. C. 647).

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When he is examined as a witness, a discovery of all communications (not within the preceding rules as to privilege) between himself and any clients, defendants in the suit, may be obtained from him; and professional communications with other persons, strangers to the suit, are certainly not proper subjects of discovery in equity.

The distinction between the cases in which discovery is sought from a lay defendant, of communications with his solicitor, and those in which a discovery of professional communications is required from a defendant or witness, himself a solicitor, seems based upon a broad principle of equity; and the observations of some Chancery judges, who would abolish this distinction, by granting the larger privilege in both the supposed cases, *because they see no difference between these cases in principle*, must be read with some surprise.

As the law on this subject stands at present, a defendant or witness may entitle his client's communications to privilege, by stating *that he is a solicitor*, and *that the matters of which discovery is sought came to his possession, or were received or written by him, professionally in his character of confidential solicitor* *, and that the communications were made *in confidence* †.

And protection is afforded, although the connexion between the solicitor and his client has come to an end since the communications passed ‡.

Such is the result of the recent decisions on the question of privilege. In all of them the general rules have been followed, with but two exceptions.

In *Reece* v. *Trye* §, before the Master of the Rolls, cases for the opinion of counsel, as well as the opinions, were privileged, though not prepared in contemplation of a suit. And in *Pearse* v. *Pearse* ||, Vice-Chancellor Knight Bruce could not help indulging to some extent the strong inclination he expressed to extend protection to matters not within the rules above stated.

On some future occasion it may be useful to examine the grounds upon which the different decisions are rested; at present it is enough to state shortly, that the Lord Chancellor and the Vice-Chancellor of England seem disposed to support the old practice; Vice-Chancellor Wigram ¶ and Vice-Chancellor Knight Bruce** are inclined to extend the privilege; while, on the other hand, the Master of the Rolls†† would enforce discovery in all cases. E. E. K.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—Christopher Hicks the younger, of Shrewsbury; John Banfield, of Saint Mary's, Scilly, Cornwall; Joseph Wright, of Doncaster; William Roby, of Liverpool.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, at Westminster, has appointed Frederick Charsley, Gent., of Amersham, Buckinghamshire, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Buckingham.

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* *Greenough* v. *Gaskell*, (1 My. & K. 98); *Herring* v. *Clobery*, (1 Phill. 91).

† *Sawyer* v. *Birchmore*, (3 My. & K. 572); *Jones* v. *Pugh*, (1 Phill. 96); *Carpmael* v. *Powis*, (1 Phill. 687); *Walsh* v. *Trevanion*, (15 Sim. 577); *Tugwell* v. *Hooper*, (10 Beav. 38).

‡ *Herring* v. *Clobery*, (ubi sup.)

§ 9 Beav. 216.

|| 1 De G. & S. 12.

¶ *Lord Walsingham* v. *Goodricke*, (ubi sup.)

** *Pearse* v. *Pearse*, (ubi sup.)

†† *Flight* v. *Robinson*, (ubi sup.)

Court Papers.

EQUITY SITTINGS, AFTER HILARY TERM, 12 VICT. 1849.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS.

Thursday	*Feb.* 8	Motions.
Friday	9	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	10	

At the Judicial Committee.

Monday.....	12	
Tuesday.....	13	
Wednesday	14	
Thursday.....	15	
Friday	16	

At the Rolls.

Saturday	17	
Monday.....	19	
Tuesday.....	20	
Wednesday.....	21	
Thursday.....	22	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Friday	23	
Saturday	24	
Monday.....	26	
Tuesday.....	27	
Wednesday	28	Motions.
Thursday ..	*March* 1	
Friday	2	
Saturday	3	
Monday.....	5	
Tuesday.....	6	
Wednesday	7	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Thursday	8	
Friday	9	
Saturday	10	
Monday.....	12	
Tuesday.....	13	
Wednesday	14	Motions.
Thursday	15	
Friday	16	
Saturday	17	
Monday.....	19	
Tuesday.....	20	
Wednesday	21	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Thursday	22	
Friday	23	
Saturday	24	
Monday.....	26	
Tuesday.....	27	
Wednesday	28	Motions.
Thursday	29	Petitions in the General Paper.

Short Causes, Consent Causes, and Consent Petitions, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

COURT OF QUEEN'S BENCH.

HILARY TERM.—12 VICTORIA.—*Feb.* 8.

This Court will hold a sitting on Saturday the 24th day of February instant, at twelve o'clock at noon, for the purpose of giving judgment in cases previously argued.

This Court will not hold a sitting on the 1st day of March next, as previously announced.

BY THE COURT.

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EQUITY CAUSE LISTS, AFTER HILARY TERM.

Court of Chancery.

*** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Re-hearing—*S. O.* Stand Over—*Sh.* Short.

Before the LORD CHANCELLOR.

APPEALS.

Hodgkinson *v.* Hodgkinson } (Ap) *S O*
Same *v.* Jackson
Allfrey *v.* Allfrey (Ap)
Stewart v. Forbes (Ap)
Cochrane v. Cochrane } (Ap) *S O*
Lord *v.* Colvin
Penny *v.* Watts (Ap)
Ridgway *v.* Gray (Ap)
Knight *v.* Majoribanks } (Ap)
Same *v.* Gibbs
Cooper *v.* Earl of Powis (Ap)
Scarf *v.* Soulby (Ap)
Onslow *v.* Wallis (Ap)
Cudden *v.* Morley (Ap)
Chambers *v.* Siggers (Ap)
M'Intosh *v.* Great Western Railway Company (Ap)

Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Robinson *v.* Sollory *Sh*
Ashburner *v.* Wilson (F D, C) *S O*
Dunston *v.* Dunston } (3 caus. F D)
Beeston *v.* Same
Gray *v.* Gray }
Same *v.* Webb
Boycott *v.* Morse (2 causes) }
Digby *v.* Boycott (3 causes) }
Edge *v.* Duke (2 causes)
Bodington *v.* Great Western Railway Company
Gregory *v.* Wilson *S O*
Myers *v.* Perigal (F D, C) *S O*
Thornton *v. Knight*
Dykes v. Taylor (E)
Drever *v.* Maudsley (7 causes, F D)
Smith *v.* Pincombe (2 causes) *S O G*
Duff *v.* Chester
Jones *v.* Francis (F D, C) *S O G*
Moorley *v.* Smith
Miller *v.* Priddon
Attorney-Gen. *v.* Finch (2 causes)
Surtees *v.* Hopkinson (F D, C)
James *v.* Jones
Alt *v.* Gregory *S O G*
Field *v.* Jennings
Watt *v.* Symes (2 causes)
Marks *v.* Solomons (F D, C)
Baxter *v.* Abbott (3 causes, F D, C)
Banner *v.* Strachan (F D) }
Same *v.* Same (Cause) }
Baker *v.* Salmon
Shelton *v.* Watson (F D, C)
Rowland *v.* Witherden
Earl of Balcarras *v.* Hudson
Ligoure *v.* Marryatt (F D, C)
Wiseman *v.* Barratt (F D, C)
Worthington *v.* Morgan
Coleman *v.* Fielder
Briggs *v.* Deveroux }
Same *v.* Brenton }
Same *v.* Stansfeld }
Palmer *v.* Goren } *March* 1
Same *v.* Same
Barker *v.* Wylde (3 causes, F D, C)
Daintree *v.* Day
Preece *v.* France
Hutton *v.* Hayley
Whitchurch *v.* Whitchurch } (F D, C)
Same *v.* Parrott
Borton *v.* Borton
Peacocke *v.* Evans
Sharples *v.* Monk *Sh*
Jenkins *v.* Jenkins (2 causes)
Onslow *v.* Attorney-Gen.
Collett *v.* Maule (E 3 sets) }
Same *v.* Same (F D) }
Bunney *v.* Beckett (3 causes)
Bingham *v.* Hallam (6 causes, F D, C)
Cornwall *v.* Brand
Padbury *v.* Clark
Follett *v.* Molyneaux
Menlove *v.* Hogg }
Same *v.* Trustees of Liverpool Docks }
Same *v.* Same }
Bird *v.* Campbell *Sh*
Bush *v.* Windy *Sh*
Peach *v.* Pigou (F D, C)
Purchase *v.* Shallis
Attorney-Gen. *v.* Montague
Beecher *v.* Daw *Sh*
Dodson *v.* Powell
Aldred *v.* Adnam (F D, C) *Sh*
French *v.* French (F D, C) *Sh*
Holmes *v.* Walker
Grover *v.* Burningham
Wheable *v.* Withers
Countess of Egremont *v.* Thompson
Luckham *v.* Flower
Timmis *v.* Brassey (6 causes, F D)
Dighton *v.* Bank of England (F D)
Eyre *v.* Jones
Low *v.* Graves (F D, C)
Allen *v.* Wilson
French *v.* Bittleston

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Duncan *v.* Luntley (D)
Eaton *v.* Ryde (D)
Kent *v.* Underhill }
Capper *v.* Same }
Stanley *v.* Bulkeley *Trin. T.*
Wilkinson *v.* Candlish
Milne *v.* Baldwin } *S O*
Same *v.* Green }
Paterson *v.* Mills *S O*
Alexander *v.* Bushby (F D, Ptn, part heard) *S O*
Hughes *v.* Scarborough *S O to fix a day*
Powell *v.* Dodson (2 causes)
Browne *v.* Milne (F D, C)
Lee *v.* Delane
Rees *v.* Chilton
Mortimer *v.* Hartley (F D, part heard)
Penrice *v.* Penrice (F D, C) *Feb.* 15
Wynne *v.* Price
Clark *v.* Cook (E)
Middleton *v.* Youden
Dunn Gardner *v.* Dunn Gardner (4 causes, F D, C)
Nisbitt *v.* Fisher
Howard *v.* Howard
Hulbert *v.* Hulbert
Billing *v.* Webb (F D, Ptn)
Howkins *v.* Jackson
Andrew *v.* Andrew (E, 2 sets)
Daniel *v.* Daniel (E, F D)
Salmon *v.* Gibbes
Osgood *v.* Osgood
Lane *v.* Green
Strong *v.* Strong
Harding *v.* Tuson
Att.-Gen. *v.* Gibbs (F D, C)
Cotton *v.* Penrose
Bell *v.* Hett
Johnson *v.* Thompson
Porritt *v.* Manners
Dobson *v.* Edwards (3 causes, F D)
Hay *v.* Welloughby
Butler *v.* Vernon } (Cause, Ptn)
Harwood *v.* Butler }
Same *v.* Gainer }
Lockwood *v.* Laird
Johnson *v.* Richards (F D, C)
Holland *v.* Treacher
Chapman *v.* Chapman
Chaplin *v.* Howell
Prior *v.* Westcott
Williams *v.* Tart (F D, C)
Burcham *v.* Willoughby (F D)
Foligno *v.* Blogg
Toovey *v.* Fox
Emberton *v.* Wood (5 causes)
Bradney *v.* Yorke
Evans *v.* Mann (2 causes)
Davies *v.* Evans (2 causes)
Farwell *v.* Seale
Fisher *v.* Smith
Marshall *v.* Royce (F D)
Scott *v.* Wilson
Hamond *v.* Swayne (F D)
Davies *v.* Thoms (F D)
Hawkes *v.* Capon (3 causes)
Read *v.* Littler
Gordon *v.* Hoffre (F D, C)
Bullock *v.* Cotton
Mop *v.* Buckley

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Chandler *v.* Corke *Last day of Trinity Term*
Nesfield *v.* White *Trin. Term*
Lander *v.* Ingersoll (F D, C)
Swainson *v.* Muncaster }
Same *v.* Swainson }
Marshall *v.* Sladden
Watson *v.* Masters
Thornelow *v.* Harrison
Hepworth *v.* Heslop
Attorney-Gen. *v.* Jones
Mossop *v.* Jenkins *Feb.* 24
Harrison *v.* Harrison (F D, C)
Atkinson *v.* Parker (F D, C)
Atkinson *v.* Attorney-Gen.
Dyson *v.* Bourne *Sh*
Middleton *v.* Reay (E)
Hayward *v.* Stephens
Innes *v.* Sayer
Edwards *v.* Hodges (F D, C)
Fuller *v.* Benett (E)
Moore *v.* Hewham (3 causes, F D)
Kirwan *v.* Daniel

Causes transferred from the Master of the Rolls' List, by order, dated 24th January, 1849.

M'Calmont *v.* Rankin (2 cau.)
Townshend *v.* Martin (F D)
Smith *v.* Smith
Smith *v.* Downton
Malins *v.* Greenway (3 causes, F D, Ptn)
Kirkby *v.* Platel (E) }
Same *v.* Whitehorne (F D) }
Cross *v.* Sprigg (E, F D)
Newman *v.* Hutton (2 causes)
Mumford *v.* Chapman
Douglas *v.* Willes (4 causes, F D, C)
Fussell *v.* Elwin
Lassener *v.* Lescher
Price *v.* Berrington (3 causes, F D, C)
Edgell *v.* Wickham (F D)
Lucas *v.* James
Davey *v.* Birch (6 causes, F D, Ptn)
Culsha *v.* Cheese (F D, C)
Bromley *v.* Wright (4 causes, F D, C)
Evans *v.* Davies (5 causes, F D, C)
Smith *v.* Smith (F D, C)
Harrison *v.* Harrison
Lawrence *v.* West Middlesex Water-works
Naylor *v.* Naylor
Beckett *v.* Cawood *Sh*
Lee *v.* Elmslie
Reynell *v.* Sprye (2 causes)
M'Donnell *v.* Haynes
Pelly *v.* Wathen (5 causes, E, F D, C)
Solicitor-Gen. *v.* Bath Corporation } (F D, C)
Same *v.* Blair }
Ford *v.* Bryant (E, F D, C)

[End of transferred causes.]

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CIRCUITS OF THE JUDGES.

(*Mr. Justice* PATTESON *will remain in Town*).

SPRING CIRCUITS, 1849.	WESTERN.	MIDLAND.	NORFOLK.	HOME.	NORTHERN.	OXFORD.	N. WALES.	S. WALES.
	Ld. Denman J. Williams	L. C. J. Wilde J. Maule	L C B Pollock B. Rolfe	B. Parke J. Wightman	B. Alderson J. Coleridge	J. Coltman B. Platt	J. Cresswell	J. Erle
Tuesday, *Feb.* 13	.....	.....	.....	.....	Lancaster	.....	.....	.....
Friday..... 16	.....	.....	.....	.....	Appleby	.....	.....	.....
Monday 19	.....	.....	.....	.....	Carlisle	.....	.....	.....
Thursday ... 22	.....	.....	.....	.....	Newcastle & [Town	.....	.....	.....
Monday 26	.....	.....	.....	.....	.....	Abingdon	.....	.....
Tuesday 27	.....	.....	.....	Hertford	Durham	.....	.....	Swansea
Thursd. *March* 1	Winchester	.....	.....	.....	.....	Oxford	.....	.....
Saturday.... 3	.....	Oakham N'thampt.	Aylesbury	.....	York & City	.....	.....	.....
Monday 5	.....	.....	.....	Chelmsford	.....	.....	.....	.....
Tuesday 6	.....	.....	.....	.....	.....	Worcester & [City	.....	.....
Thursday ... 8	Salisbury	Lincoln and [City	Bedford	.....	.....	.....	.....	Haverford- [west & Tn.
Saturday ... 10	.....	Nottingham [& Town	Huntingdon	Maidstone	.....	Stafford	.....	.....
Monday 12	.....	.....	.....	.....	.....	.....	Welchpool	.....
Tuesday 13	Dorchester	.....	.....	.....	.....	.....	.....	Cardigan
Wednesday.. 14	.....	.....	Cambridge	.....	.....	.....	.....	.....
Thursday ... 15	.....	.....	.....	.....	.....	.....	Bala	.....
Friday..... 16	.....	Derby	.....	.....	.....	.....	.....	.....
Saturday.... 17	Exeter & City	.....	.....	.....	Liverpool	Shrewsbury	Carnarvon	Carmarthen
Monday 19	.....	.....	.....	Lewes	.....	.....	.....	.....
Tuesday 20	.....	Leicest. & B.	Bury St. Ed.	.....	.....	.....	.....	.....
Thursday ... 22	.....	.....	.....	.....	.....	Hereford	Beaumaris	.....
Friday..... 23	.....	.....	.....	.....	.....	.....	.....	Brecon
Saturday ... 24	.....	Coventry	.....	Kingston	.....	Monmouth	.....	.....
Monday 26	Bodmin	.....	Norwich and [City	.....	.....	.....	Ruthin	.....
Tuesday 27	.....	Warwick	.....	.....	.....	.....	.....	.....
Wednesday.. 28	.....	.....	.....	.....	.....	.....	.....	Presteign
Thursday ... 29	.....	.....	.....	.....	.....	Gloucester & [City	Mold	.....
Saturday ... 31	Taunton	.....	.....	.....	.....		Chester	Chester

London Gazettes.

TUESDAY, FEBRUARY 6.

BANKRUPTS.

MICHAEL COWLES, Nine Elms, Vauxhall, and York-road, Lambeth, Surrey, livery-stable keeper and coach proprietor, Feb. 12 at 1, and March 26 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Smith, 8, Furnival's-inn.—Fiat dated Feb. 2.

CHARLOTTE COOPER, Northampton, dealer in Berlin wool, dealer and chapwoman, Feb. 16 and March 24 at 1, Court of Bankruptcy, London: Off. Ass. Green; Sols. Slee & Robinson, Parish-street, Southwark.—Fiat dated Jan. 24.

ROBERT COOPER CHAPPELL, Trinity-chambers, Water-lane, Tower-street, London, wine merchant, dealer and chapman, (carrying on business with Alexander Elmsley Thompson), Feb. 15 and March 22 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lawrance & Plews, 14, Old Jewry-chambers.—Fiat dated Jan. 31.

LEWIS RUDGE, Great Barford-villa, Great Barford, Bedfordshire, apothecary, dealer and chapman, Feb. 14 at half-past 12, and March 21 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Mitton & Co., Southampton-buildings, Holborn.—Fiat dated Feb. 2.

CHARLES NEWSAM CARTWRIGHT, Leicester, dresser and spinner, dealer and chapman, March 2 and 23 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Fiat dated Jan. 30.

RICHARD MYDDELTON LLOYD, Wrexham, Denbighshire, banker, Feb. 14 and March 14 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. James & Owen, Wrexham; Evans & Son, Liverpool; Raimondi & Tagart, Lincoln's-inn-fields, London.—Fiat dated Jan. 25.

ISAAC BOOTH, Crewe, Cheshire, linen and woollen draper, dealer and chapman, Feb. 16 and March 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Slater, Manchester; Abbott, Lincoln's-inn-fields, London.—Fiat dated Feb. 2.

THOMAS SLATER, Wombridge, Shropshire, brickmaker, dealer and chapman, Feb. 17 and March 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Smith, Birmingham.—Fiat dated Jan. 26.

JOHN ROBERT LONG, Bath, linen draper, dealer and chapman, Feb. 20 and March 20 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Jones, Sise-lane, London.—Fiat dated Jan. 26.

ALFRED JOHN SWIFT, Liverpool, ironfounder, Feb. 16 and March 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Greatley, Liverpool; Smith, Lincoln's-inn-fields, London.—Fiat dated Feb. 1.

THOMAS THOMPSON, Manchester, merchant and commission agent, Feb. 16 and March 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Barratt, Manchester; Keightley & Co., Chancery-lane, London.—Fiat dated Jan. 25.

MEETINGS.

Thomas Richardson, North Shields, Northumberland, common brewer, Feb. 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Rob. Ashforth*, Birmingham, hardwareman, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, last ex.—*John Haworth*, Stone Fold Mill, near Haslingden, Lancashire, cotton spinner, Feb. 19 at 12, District Court of Bankruptcy, Manchester, last ex.—*John Nichols*, Snow-hill, London, ironmonger, March 1 at half-past 11, Court of Bankruptcy, London, aud. ac.—*William Keys*, Robert's-place, Commercial-road East, Middlesex, linen draper, Feb. 20 at 12, Court of Bankruptcy, London, aud. ac.—*Fred. Clark*, Bentinck-street, Middlesex, auctioneer, Feb. 28 at 11, Court of Bankruptcy, London, aud. ac.—*Samuel Durant*, Deptford, Kent, dealer, Feb. 20 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Parry*, Hay, Brecknockshire, corn merchant, March 9 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.—*Jacob Moseley*, Neath, Glamorganshire, watch maker, March 9 at 11, District Court of Bankruptcy, Bristol, aud. ac.; March 12 at 11, div.—*Wm. W. Dunn*, Bath, *Wm. Keene*, Bath, Somersetshire, *Henry B. Marriott*, Llanganoyd, Glamorganshire, and *Sam. B. Waring*, Bristol, brewers, Feb. 27 at 11, District Court of Bankruptcy, Bristol, aud. ac., and March 2 at 11, div. sep. est. of *W. Keene*.

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—*George Callam*, Manchester, shawl manufacturer, Feb. 27 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Feb. 28 at 11, fin. div.—*William Ockleston*, Liverpool, hide merchant, Feb. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Mark S. Synnot*, Liverpool, merchant, March 1 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Theodore F. Clark*, Liverpool, milliner, March 1 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Ayshford Wise*, Wolborough, *Wm. S. Bentall*, Totnes, and *R. Farwell*, Totnes, Devonshire, bankers, March 1 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*James Exley*, Boothroyd, Dewsbury, Yorkshire, blanket manufacturer, Feb. 27 at half-past 12, District Court of Bankruptcy, Leeds, aud. ac.; at 1, fin. div.—*Joshua Garsed* the elder, and *Joshua Garsed* the younger, Leeds, Yorkshire, flax manufacturers, Feb. 27 at 12, District Court of Bankruptcy, Leeds, aud. ac.; at half-past 12, fin. div.—*George Chesterton* and *Jas. Woodall*, Birmingham, glass manufacturers, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Richard Lea*, Bewdley, Worcestershire, surgeon, chemist, and druggist, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Kemp*, Birmingham, builder, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Edward Price*, Leominster, Herefordshire, cordwainer, March 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Ankrett*, Walsall, Staffordshire, spur manufacturer, March 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Edwin Phillips*, Shrewsbury, Shropshire, baker, March 7 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. Lloyd*, Shrewsbury, Shropshire, general ironmonger, March 10 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Eusebius Langley*, Hednesfield, Cannock, Staffordshire, innkeeper, March 7 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*George Sandeman*, York-st., Southwark, Surrey, ironmonger, March 9 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Temple*, Motcombe-st., Belgrave-sq., Middlesex, turner, March 9 at half-past 11, Court of Bankruptcy, London, div.—*Wm. W. Hughes*, Marylebone-street, Regent-st., Middlesex, plumber, Feb. 27 at half-past 11, Court of Bankruptcy, London, div.—*Edw. Whitmore*, *John Wells*, *John Wells* the younger, and *Fred. Whitmore*, Lombard-st., London, bankers, Feb. 27 at 12, Court of Bankruptcy, London, div.—*Robt. Weatherhog* and *Rich. Weatherhog*, Stone, Kent, farmers, Feb. 27 at 11, Court of Bankruptcy, London, div.—*George Workman*, St. George's-pl., Water-lane, Brixton, Surrey, beer-shop keeper, Feb. 28 at half-past 12, Court of Bankruptcy, London, div.—*Francis Jenkyns* and *John H. Hardyman*, Love-lane, Eastcheap, London, merchants, Feb. 28 at 12, Court of Bankruptcy, London, div.—*Thos. Davies*, Aberavon, Glamorganshire, draper, March 1 at half-past 11, District Court of Bankruptcy, Bristol, div.—*Geo. Douglas*, Bury, Lancashire, draper, Feb. 27 at 12, District Court of Bankruptcy, Manchester, div.—*Robert C. Brand*, Wigan, Lancashire, linen draper, Feb. 28 at 12, District Court of Bankruptcy, Manchester, fin. div.—*James Ogden*, Reddish, Lancashire, cotton spinner, Feb. 27 at 12, District Court of Bankruptcy, Manchester, div.—*Henry Johnson*, Sheffield, Yorkshire, merchant, March 3 at 10, District Court of Bankruptcy, Sheffield, div.—*Henry Hollis*, Liverpool, tea dealer, March 1 at 11, District Court of Bankruptcy, Liverpool, div.—*Theophilus Hulm* the younger, Hereford, grocer, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, div.—*Wm. Grosvenor*, Shelton and Hanley, Stoke-upon-Trent, Staffordshire, ironfounder, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Wm. Insall*, Shipston-on-Stour, Worcestershire, auctioneer, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Wm. G. Hathaway*, Stanford-bridge, Great Shelsley, Worcestershire, grocer, Feb. 28 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*G. Lloyd*, Shrewsbury, Shropshire, general ironmonger, March 14 at 12, District Court of Bankruptcy, Birmingham, fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Stiles, Lisle-st., Leicester-sq., Middlesex, coppersmith, Feb. 28 at 12, Court of Bankruptcy, London.—*John W. Fielder* and *John Bradbury*, Thavies-inn, Holborn-hill, London, lace merchants, Feb. 28 at 11, Court of Bankruptcy, London.—*John S. Gomme*, Angel-terrace, Hammersmith, Middlesex, cabinet maker, Feb. 28 at 11, Court of Bankruptcy, London.—*Caleb Radford*, Uckfield, Sussex, apothecary, Feb. 28 at 12, Court of Bankruptcy, London.—*John Cockey* the younger, Portsmouth, Southampton, ship builder, Feb. 28 at half-past 11, Court of Bankruptcy, London.—*Wm. Price*, Strand, Middlesex, dealer and chapman, Feb. 28 at 11, Court of Bankruptcy, London.—*John Nichols*, Snowhill, London, ironmonger, March 1 at 12, Court of Bankruptcy, London.—*James Moody Wathew*, West Bromwich, Staffordshire, brickmaker, Feb. 27 at 10, District Court of Bankruptcy, Birmingham.—*John Thompson*, Sheffield, Yorkshire, licensed victualler, March 3 at 12, District Court of Bankruptcy, Sheffield.—*Wm. Bower*, Wilmslow, Cheshire, cotton spinner, Feb. 28 at 11, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Feb. 27.

Stephen Davies, Pimlico, Middlesex, coal merchant.—*Geo. Price*, Merthyr Tydfil, Glamorganshire, innkeeper.—*James Jepson*, Driffield, Yorkshire, draper.—*John S. B. Budgett*, King-st., Camden-town, out of business.—*Samuel Worth*, Sheffield, Yorkshire, architect.—*Frederick Brown*, Tunstall, Staffordshire, tanner.—*Geo. Crocker*, Yeovil, Somersetshire, ironmonger.—*Alfred Drake*, Barnstaple, Devonshire, attorney.—*Robt. Hiscocks*, Birkenhead, Cheshire, brewer.—*Wm. W. Dunn*, *Wm. Keene*, Bath, Somersetshire, *Henry B. Marriott*, Llanganoyd, Glamorganshire, and *Sam. B. Wearing*, Bristol, brewers.—*John E. Jones*, Upper Charlotte-st., Fitzroy-sq., Middlesex, engineer.—*Thomas Page* the younger, Banham, Norfolk, gig maker.—*Chas. Staples*, Southampton, plumber.—*John Watkinson*, Leicester, out of business.—*Jas. Johnson*, Langley-pl., Commercial-road East, Middlesex, leather seller.—*John Hitchins*, Chichester-pl., Gray's-inn-road, and Upper Whitecross-street, Middlesex, leather seller.—*John Jones*, Stockport, Cheshire, ironmonger.—*Wm. Pearce*, Croydon, Surrey, tailor.

Scotch Sequestrations.

Wm. M'Dougall, Lochinver by Golspie, innkeeper.—*Helen Johnston*, Airdrie, grocer.—*James Sutherland*, Golspie, Sutherlandshire, merchant.—*Andrew Gilmour*, Glasgow, wine merchant.—*W. T. Myles & Co.*, Dundee, grocers.—*Andrew Watt*, Windyhill, Kilbarchan, farmer.—*Alexander Munro*, Ullapool, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Chas. Bailey, Portsea, Southampton, hatter, Feb. 27 at 10, County Court of Hampshire, at Portsmouth.—*Chas. Templar*, Bristol, painter, March 14 at 11, County Court of Gloucestershire, at Bristol.—*John P. Keenan*, Bristol, varnish maker, March 21 at 11, County Court of Gloucestershire, at Bristol.—*John Plaxton*, Woodmansey, near Beverley, Yorkshire, gardener, Feb. 17 at 11, County Court of Yorkshire, at Beverley.—*John Read*, Southsea, Portsea, Hampshire, dealer in timber, Feb. 27 at 10, County Court of Hampshire, at Portsmouth.—*Wm. Richardson*, Goole, Yorkshire, watchmaker, Feb. 27 at 11, County Court of Yorkshire, at Goole.—*David Prosser*, Bristol, carpenter, March 14 at 11, County Court of Gloucestershire, at Bristol.—*George Crew*, Bitton, Gloucestershire, baker, March 21 at 11, County Court of Gloucestershire, at Bristol.—*William Jinks*, Brinklow, near Coventry, Warwickshire, blacksmith, Feb. 21 at 10, County Court of Warwickshire, at Rugby.—*Thomas Elliott*, Franks-park-farm, near Swanley, Horton Kirby, Kent, farmer, Feb. 12 at 10, County Court of Kent, at Dartford.—*William Harvey*, Hemingstone, near Coddenham, Suffolk, dealer in poultry, Feb. 16 at 10, County Court of Suffolk, at Ipswich.—*William Woolrich*, Eyton, Baschurch, Shropshire, farm labourer, Feb. 13 at 10, County Court of Shropshire, at Shrewsbury.—*Mary Ann Owen*, Liverpool, licensed victualler, Feb. 12 at 10, Liverpool District County Court, at Liverpool.—*Edward Jones*, Liverpool, clerk to an estate agent, Feb. 12 at 10, Liverpool District County Court, at Liverpool.—*Ann Moore*, Ipswich, Suffolk, widow, Feb. 16 at 10, County Court of Suffolk, at Ipswich.—*Philip Isaacs*, Great Yarmouth, Norfolk, clothier, Feb. 14 at 10, County Court of Norfolk, at Great Yarmouth.—*John Briggs*, Bir-

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mingham, out of business, Feb. 17 at 11, County Court of Warwickshire, at Birmingham.—*Edw. Collins*, Birmingham, scale beam manufacturer, Feb. 17 at 11, County Court of Warwickshire, at Birmingham.—*Wm. Downes*, Birmingham, beerseller, Feb. 17 at 2, County Court of Warwickshire, at Birmingham.—*John Jennings*, Birmingham, pearl button manufacturer, Feb. 17 at 2, County Court of Warwickshire, at Birmingham.—*Joseph Howe*, Birmingham, cabinet maker, Feb. 17 at 11, County Court of Warwickshire, at Birmingham.—*James Stroud* the younger, Wootton, Oxfordshire, saddler, Feb. 15 at half-past 10, County Court of Oxfordshire, at Woodstock.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 20 *at* 11, *before the* CHIEF COMMISSIONER.

Jas. Oliver, Bury-street, St. James's, Middlesex, plumber. —*John Gilbert*, Drury-lane, Middlesex, baker.

Feb. 20 *at* 11, *before Mr. Commissioner* HARRIS.

John Joseph D'Amant, Clarence-road, Clapton-sq., Hackney, Middlesex, gardener.—*John Griffiths*, Conduit-st., Hanover-square, Middlesex, lodging-house keeper.—*J. Neeve*, Ratcliffe-highway, Middlesex, baker, widow.

Feb. 21 *at* 10, *before Mr. Commissioner* LAW.

John Johnson, John-st., Church-lane, Whitechapel, Middlesex, coach painter.—*Mary Appleby*, Osnaburgh-place, Regent's-park, Middlesex, stay maker.—*C. Thomas*, Union-mews, Union-place, Lisson-grove, Middlesex, cab proprietor.

Feb. 22 *at* 11, *before the* CHIEF COMMISSIONER.

Nicholas Walker, Queen's-terrace, Marlborough-rd., Chelsea, Middlesex, green grocer.

Feb. 22 *at* 10, *before Mr. Commissioner* LAW.

George Le Jeune, Hensbridge-villas, Ordnance-road, St. John's-wood, Middlesex, teacher of singing.

Feb. 22 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Warnett, Cornwall-road, Lambeth, Surrey, bricklayer.

Saturday, Feb. 3.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Margaret Rees, Cilwnwgfach, Carmarthenshire, widow, No. 70,417 C.; James Thomas, assignee.—*George Savage*, Bristol, victualler, No. 69,890 C.; Philip George the younger, assignee.—*Susan Jones*, Llansaintffraid Glan Conway, Denbighshire, publican, No. 70,072 C.; Hugh Hughes, assignee. —*Joseph Johns*, Kingston-upon-Hull, eating-house keeper, No. 70,087 C.; John Burgoyne Reed, assignee.—*J. Hazard*, Shidfield, Droxford, Hampshire, retailer of beer, No. 70,187 C.; John Savage, assignee.—*John Pace*, Lonsdale-square, Islington, Middlesex, merchant, No. 60,110 T.; J. Thompson and John J. Hucks, assignees.—*Richard Hodson*, Walcot-place, Lambeth, Surrey, printer, No. 60,152 T.; Wm. M. Wilkinson, assignee.—*John Asquith*, Liverpool, retail dealer in ale, No. 70,495 C.; John Jones, assignee.—*R. Snelling*, Brighton, Sussex, seedsman, No. 70,392 C.; John George Waite, assignee.—*William Thomas Robins*, Foxbury-grove, Locks-fields, Walworth, Surrey, collector of poor rates, No. 59,011 T.

Saturday, Feb. 3.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Holdsworth, Dorking, Surrey, butcher: in the Gaol of Horsemonger-lane.—*Thomas Frulock*, Cecil-street, Strand, Middlesex, dealer in railway shares: in the Queen's Prison.—*Chas. Tyrwhitt*, Brompton-square, Brompton, Middlesex, in no trade: in the Queen's Prison.—*Edward Williams*, Oxford-market, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Charles Cole*, Luton, Bedfordshire, butcher: in the Debtors Prison for London and Middlesex.—*Wm. Robt. Lambert*, Belsize Toll-gate, Belsize-lane, Hampstead, Middlesex, toll-gate keeper: in the Debtors Prison for London and Middlesex.—*John Thomas Searle*, High-street, Hounslow, Middlesex, leather cutter: in the Debtors Prison for London and Middlesex.—*S. W. P. Steward*, Godfrey-street, King's-road, Chelsea, Middlesex, brickmaker: in the Debtors Prison for London and Middlesex.—*Jas. Fras. Cole*, Valentine-place, Long-lane, Bermondsey, Surrey, pump maker: in the Gaol of Surrey.—*Alaric Alexander Watts*, Bury-street, Lower Edmonton, Middlesex, newspaper proprietor: in the Debtors Prison for London and Middlesex.—*T. Cox*, Westbourne-place, Bishop's-rd., Paddington, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*J. Brewer*, Red Lion-st., Clerkenwell, Middlesex, tin plate worker: in the Debtors Prison for London and Middlesex.—*Francis Champness*, Rydon-terrace, City-road, Middlesex, warehouseman: in the Debtors Prison for London and Middlesex.—*Chas. Burrows*, Wharton-st., Pentonville, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*John Costar*, Upper Berkeley-st., Portman-sq., Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Hen. Ramsden*, Clement's-lane, Lombard-st., London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Ed. Jarman Lance*, Barossa Cottage, Frimley, near Bagshot, Surrey, dealer in manures: in the Gaol of Surrey.—*John Rutherford*, Brown-st., Pimlico, Middlesex, piano-forte maker: in the Debtors Prison for London and Middlesex.—*Rich. Priddy*, Croydon, Surrey, corn dealer on commission: in the Gaol of Surrey.—*Denis Thos. O'Brien*, Stamford-st., Blackfriars-road, Surrey, out of business: in the Queen's Prison.—*Sam. Swan Jepps*, Chalcroft-terrace, New-cut, Lambeth, Surrey, furniture dealer: in the Queen's Prison.—*Judah de Jacob Pariente*, Beckford-place, Kennington-common, Kennington, Surrey, merchant: in the Queen's Prison.—*Wm. Henry Lathrope*, Exeter, dealer in horses: in the Gaol of Exeter.—*Robert Hubbard*, Framlingham, Norfolk, butcher: in the Gaol of Norwich.—*Richard Linell*, Emstrey, Atcham, Shropshire, commercial traveller: in the Gaol of Shrewsbury.—*Samuel Batsford*, Yardley, Worcestershire, miller: in the Gaol of Coventry.—*John Brookman*, Chepstow, Monmouthshire, rope maker: in the Gaol of Monmouth.—*Betsey Bonnell*, Lancaster, licensed victualler: in the Gaol of Lancaster.—*Daniel Cranke*, Hind Pool, Dalton in Furness, Lancashire, attorney at law: in the Gaol of Lancaster.—*Abraham Etchells*, Manchester, bread baker: in the Gaol of Lancaster.—*Samuel Figgis*, Liverpool, agent on commission: in the Gaol of Lancaster.—*John Hall*, Bury, Lancashire, grocer: in the Gaol of Lancaster.—*John Hodson*, Pentwortham, near Preston, Lancashire, provision dealer: in the Gaol of Lancaster.—*Richard Owens*, Liverpool, beer-house keeper: in the Gaol of Lancaster.—*John Robinson*, Liverpool, chemist: in the Gaol of Lancaster.—*John Reed*, Liverpool, baker: in the Gaol of Lancaster.—*Robert Lever Smith*, Manchester, shopman to a grocer: in the Gaol of Lancaster.—*Wm. Henry Turner*, Hulme, Manchester, builder: in the Gaol of Lancaster.—*Thos. Winterbotham*, Pendleton, Salford, Lancashire, farmer: in the Gaol of Lancaster.—*Wm. Baldwin*, Ruardean, Gloucestershire, gamekeeper: in the Gaol of Gloucester.—*Elizabeth Jowett*, Bradford, Yorkshire, domestic servant: in the Gaol of York.—*Anne Wheatley*, West Garforth, near Leeds, Yorkshire, schoolmistress: in the Gaol of York.—*Mirek Bailey*, Cheddleton, Staffordshire, farmer: in the Gaol of Stafford.—*Ed. Butler*, Stafford, iron merchant: in the Gaol of Stafford. —*Thos. Gordon*, Harrogate, Yorkshire, wine merchant: in the Gaol of York.—*Sam. Maycock*, Cambridge, out of business: in the Gaol of Cambridge.—*Jos. Alder*, Little Chesterton, Oxfordshire, labourer: in the Gaol of Oxford.—*Christopher Fred. Andrews*, Waltham Abbey, Essex, linen draper: in the Gaol of Chelmsford.—*John Elsey Barnett*, Suttonbridge, near Long Sutton, Lincolnshire, baker: in the Gaol of Lincoln.—*John Jacob Willard*, Brighton, Sussex, livery-stable keeper: in the Gaol of Lewes.—*Matthew Day*, Worle, Somersetshire, miller: in the Gaol of Wilton.—*Mary Simpson*, White Abbey, near Bradford, Yorkshire, widow: in the Gaol of York.—*Thos. Wood*, Cheltenham, Gloucestershire, auctioneer: in the Gaol of Gloucester.—*John Campbell*, Wolverhampton, Staffordshire, wood screw manufacturer: in the Gaol of Stafford.—*Ed. Woolmer*, Hadleigh, Suffolk, upholsterer: in the Gaol of Ipswich.

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The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 21 *at* 10, *before Mr. Commissioner* LAW.

John Grey Bredin, Burton-st., Burton-crescent, Middlesex, out of business.—*Charles Hastings*, Longham, Suffolk, cattle dealer.—*Wm. Hooper Metcalfe*, Westminster-bridge-road, Surrey, wholesale druggist.—*George Cocks*, High-st., Wandsworth, Surrey, grocer.—*Gustavus Palmer Harding*, Bartlett's-buildings, Holborn, Middlesex, artificial florist.—*Stephen Giles Holmans*, Park-st., Grosvenor-square, Middlesex, shoeing smith.

Feb. 22 *at* 10, *before Mr. Commissioner* LAW.

Sam. Irons, Cloudesley-st., Islington, Middlesex, attorney's clerk.—*Robert Watt*, Mount Pleasant Hnt, Upper Clapton, Middlesex, warehouseman.—*Chas. Burrows*, Granville-square, Pentonville, coal merchant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Carmarthenshire, at CARMARTHEN, *Feb.* 20 *at* 2.

Sam. Ball, Llangunnor, Carmarthenshire, land surveyor.—*Griffith Morris Howell*, Carmarthen, draper.

At the County Court of Essex, at CHELMSFORD, *Feb.* 22 *at* 12.

Christopher Frederick Andrews, Waltham Abbey, Essex, linen draper.

At the County Court of Warwickshire, at COVENTRY, *Feb.* 24 *at* 10.

Samuel Batsford, Birmingham, out of business.—*Charles Edwin Ballam*, Birmingham, fluter of silver ware.—*John Bindley*, Shropshire-row, near Bilston, Staffordshire, out of business.

At the County Court of Warwickshire, at WARWICK, *Feb.* 23.

George Wait, Warwick, farmer.

At the County Court of Hampshire, at WINCHESTER, *Feb.* 23.

Augustus Benj. Adams, Landport Portsea, convict guard.—*Geo. Bennett*, Privett, tailor.

At the County Court of Staffordshire, at STAFFORD, *Feb.* 20 *at* 10.

Mirek Bailey, Cheddleton, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

Wm. Capel Clayton, Esq., Castle-st., Holborn: 13*s.* 4*d.* in the pound.—*John Whitelock* the elder, Rodney-terrace, Greenwich, Kent, attorney at law: 4½*d.* in the pound.—*Ed. Young Jolliffe*, Fearys-row, High-st., Highgate, Middlesex, grocer: 5*s.* in the pound.—*Job Swain*, Devonshire-terrace, Barnsbury-park, Islington, Middlesex, tailor: 1*s.* 0½*d.* in the pound.—*Elizabeth Needs*, Tapp-st., Mile-end-road, Middlesex, in no business: 7*s.* 8*d.* in the pound (making 20*s*).—*Jas. George*, Wells-street, Gray's-inn-road, Middlesex, tailor: 2*s.* 3½*d.* in the pound.—*Nicholas Pettifer*, Islington, Middlesex, saddler: 1*s.* 6½*d.* in the pound.—*John Hetherington Smith*, Westbourne-park-road, Paddington, Middlesex, attorney at law: 4½*d.* in the pound.—*John Solomon*, Minories, London, clothier: 1*s.* 7*d.* in the pound.—*Jas. Barry Hutchinson*, Pulteney-terrace, Barnsbury-road, Islington, Middlesex, currier: 4*s.* 2½*d.* in the pound.—*John Morgan*, Lydbrook Hill, East Dean, Gloucestershire, collier: 2*s.* 3½*d.* in the pound.—*Frederick Carlisle Montagu*, Willow Cottage, South Lambeth, Surrey, clerk in Accountant's Office in Bankruptcy: 2*s.* 2½*d.* in the pound.—*James Suckling*, Cambridge-terrace, Hyde-park, Middlesex, lodging-house keeper, and usher at the Police Court, Marlborough-st.: 1*s.* 8*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

MEETINGS.

Robert Turley, Awre, near Blakeney, Gloucestershire, labourer, Feb. 26 at 4, Cock Inn, Blakeney, sp. aff.—*George Lambert Gerwyn*, Crediton, Devonshire, yeoman, Feb. 15 at 11, Court-house, Portugal-st., Lincoln's-inn-fields, sp. aff.

FRIDAY, FEBRUARY 9.

BANKRUPTS.

JAMES BURNHAM, Edgware-road, Middlesex, silk mercer, dealer and chapman, Feb. 22 at half-past 1, and March 29 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Surr & Gribble, 80, Lombard-st.—Fiat dated Jan. 30.

JOSEPH ROBERT NICHOLLS, Oxford-st., Middlesex, tavern keeper, dealer and chapman, Feb. 16 at half-past 1, and March 29 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Marten & Co., 31 and 35, Commercial Sale-rooms, Mincing-lane.—Fiat dated Feb. 5.

JOHN HALE the younger, Woodnewton, near Oundle, Northamptonshire, baker, farmer, dealer and chapman, Feb. 22 at 2, and March 29 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Atter, Stamford; Taylor & Collisson, 28, Great James-st., Bedford-row.—Fiat dated Feb. 7.

WILLIAM JOHNSON, West Drayton, Middlesex, farmer, corn factor, dealer and chapman, Feb. 16 and March 23 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Wools, Uxbridge; Paterson, Bouverie-st., Fleet-st.—Fiat dated Feb. 7.

JAMES THOMSON, formerly of Southampton, and since of King-st., Camden-town, Middlesex, draper, dealer and chapman, Feb. 16 at 1, and March 23 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrance & Plews, Old Jewry-chambers, London.—Fiat dated Feb. 2.

GEORGE DAVISON, Princes-st., Turk-st., Bethnal-green, Middlesex, leather seller, Feb. 23 and March 31 at 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Lloyd, Milk-street.—Fiat dated Feb. 6.

WILLIAM MINTON, Liverpool, linen draper, dealer and chapman, Feb. 23 at 11, and March 31 at 12, Court of Bankruptcy, London. Off. Ass. Green; Sol. Jones, Sise-lane.—Fiat dated Feb. 6.

JOHN WRIGHT, Brudenell-place, Hoxton, Middlesex, builder, dealer and chapman, Feb. 21 at 12, and March 15 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Orchard, Basinghall-street.—Fiat dated Feb. 5.

JOSEPH STUBBING, Northumberland-place, Commercial-road East, Middlesex, draper, dealer and chapman, Feb. 21 at half-past 12, and March 22 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Mardon & Prichard, Newgate-street.—Fiat dated Feb. 7.

NAPHTALI WAKELIN HILL, Saint Neots, Huntingdonshire, plumber and glazier, Feb. 16 at 2, and March 20 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Smith & Curteis, 24, Golden-square.—Fiat dated Jan. 29.

JOHN ARNOLD, Oxford-street, Westminster, Middlesex, linen draper, dealer and chapman, Feb. 23 at half-past 2, and March 23 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Christmas, 6, Raymond-buildings, Gray's-inn.—Fiat dated Feb. 7.

JOSEPH JOHNSON the younger, Uxbridge, Middlesex, and Iver, Buckinghamshire, common carrier and farmer, Feb. 27 at half-past 2, and March 27 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Riches & Woodbridge, Uxbridge; Poole & Gamlen, 3, Gray's-inn-square.—Fiat dated Feb. 1.

SAMUEL SAVAGE WOOLLATT, Holborn-hill, London, draper, silk mercer, dealer and chapman, Feb. 27 at 2, and March 27 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Hardwick & Davidson, Weaver's Hall, Basinghall-st., City.—Fiat dated Feb. 8.

ALFRED EASTHOPE, Wolverhampton, Staffordshire, upholsterer, dealer and chapman, Feb. 17 and March 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Stuart, Wolverhampton; Smith, Birmingham.—Fiat dated Feb. 1.

ALEXANDER MITCHELL, Cardiff, Glamorganshire, draper and tea dealer, dealer and chapman, Feb. 20 and March 22 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Philpotts, Cardiff.—Fiat dated Feb. 6.

WILLIAM FLEMING, Leeds, Yorkshire, innkeeper, March 2 and 30 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Shackleton, Leeds.—Fiat dated Feb. 2.

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EDWARD GILMOUR SELF, Dorchester, Dorsetshire, ironmonger, dealer and chapman, Feb. 15 and March 14 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Manfield & Andrews, Dorchester; Stogdon, Exeter; Rhodes & Lane, 63, Chancery-lane, London.—Fiat dated Jan. 31.

FRANCIS O'NEILL, Liverpool, corn merchant, commission agent, corn broker, dealer and chapman, Feb. 21 and March 14 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Hime, Liverpool; Chester & Co., Staple-inn, London.—Fiat dated Feb. 5.

JOHN DANIEL VERLY, Liverpool, watchmaker and musical box manufacturer, Feb. 20 and March 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Greene, Liverpool; Maples & Co., London.—Fiat dated Feb. 5.

ANN VERNON, Ashton, in Mackerfield, Lancashire, shopkeeper, cowkeeper, dealer and chapman, Feb. 20 and March 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Pigot, Wigan; Gregory & Co., Bedford-row, London.—Fiat dated Jan. 30.

ROBERT OWEN, Manchester, tailor and draper, dealer and chapman, Feb. 19 and March 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Makinson, Manchester; Gregory & Co., 1, Bedford-row, London.—Fiat dated Feb. 5.

Meetings.

Wm. Emmerson, North Shields, Northumberland, banker, Feb. 20 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, ch. ass.—*John De Levante*, Wood-street, London, shirt maker, Feb. 23 at half-past 1, Court of Bankruptcy, London, last ex.—*John Bush*, Darkhouse-lane, Billingsgate, London, coffee-house keeper, Feb. 23 at 2, Court of Bankruptcy, London, last ex.—*Wm. H. Sheldrake*, Ipswich, Suffolk, shoemaker, Feb. 28 at 11, Court of Bankruptcy, London, last ex.—*Joseph King*, North Audley-st., Grosvenor-sq., Middlesex, coach builder, March 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Francis Keates*, Waterloo-road, Lambeth, Surrey, draper, and Worthing, Sussex, chinaman, March 5 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Thos. Turner*, Sheffield, Yorkshire, grocer, March 3 at 10, District Court of Bankruptcy, Sheffield, aud. ac.; at 11, div.—*Thos. C. Knight*, Fort-street, Spital-sq., Middlesex, undertaker, March 2 at 12, Court of Bankruptcy, London, div.—*Samuel Durant*, Deptford, Kent, draper, March 2 at 11, Court of Bankruptcy, London, div.—*M. S. Synnot*, Liverpool, merchant, March 2 at 11, District Court of Bankruptcy, Liverpool, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Sweesum, Rupert-street, Coventry-st., Middlesex, builder, March 5 at 12, Court of Bankruptcy, London.—*John Teall*, Bampton, Oxfordshire, corn dealer, March 2 at 11, Court of Bankruptcy, London.—*Horace Darken*, Norwich, builder, March 2 at 12, Court of Bankruptcy, London.—*C. J. J. Turner* and *Wm. Atherton*, Bucklersbury, and Old Jewry, London, auctioneers, March 3 at 1, Court of Bankruptcy, London.—*Andrew Smith*, Marylebone-street, Regent-street, Middlesex, wire-rope manufacturer, March 5 at 12, Court of Bankruptcy, London.—*Francis Keates*, Waterloo-road, Lambeth, Surrey, draper, and Worthing, Sussex, chinaman, March 5 at half-past 12, Court of Bankruptcy, London.—*Edmund Millward*, Peterborough, Northamptonshire, coach builder, March 5 at 1, Court of Bankruptcy, London.—*John W. Ambrose*, Bangor, Carnarvonshire, stationer, March 6 at 11, District Court of Bankruptcy, Liverpool.—*John Wildey*, Snenton, Nottinghamshire, appraiser, March 16 at 11, District Court of Bankruptcy, Nottingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 2.

Wm. P. Watkins, Long Ashton, Somersetshire, cider merchant.—*M. R. C. Wightman*, Pancras-lane, London, linen factor.—*V. S. Godfrey*, Duddington, Northamptonshire, miller.—*James Dowe*, Newbury, Berkshire, corn dealer.—*John F. Cartner*, Oakhill, Ashwick, Somersetshire, surgeon.—*T. Spiring*, Bristol, grocer.—*Robt. Parker*, Ludgate-hill, London, woollen draper.—*Wm. Day*, Liverpool, draper.—*Wm. Gylby*, East Retford, Nottinghamshire, apothecary.—*George Marsh*, Broadway, Hammersmith, and Carnaby-street, Golden-square, Middlesex, draper.—*Wm. B. Hills* and *R. W. Alldridge*, Maidstone, Kent, and Rood-lane, Fenchurch-st., London, shipping grocers.

Scotch Sequestrations.

James Cook, Glasgow, dealer in shares.—*Thomas Gray*, Glasgow, manufacturer.—*Wm. Laing*, jun., Glasgow, currier.—*Alex. Scott*, Kilmarnock, fruiterer.—*Robert Speirs*, Glasgow, grocer.—*James M'Queen*, Loch, Gretna, Dumfries-shire, tacksman.—*James Robertson*, Edinburgh, insurance broker.—*John M'Leod*, jun., Lairg, Sutherland, merchant.—*W. Findlay & Co.*, Edinburgh, wine merchants.—*Alexander Morice*, Aberdeen, ship owner.—*T.* and *J. Leslie*, Glasgow, stone merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Benj. A. J. Sheen, Dover, Kent, currier, Feb. 17 at 10, County Court of Kent, at Dover.—*John Rolfe*, Ewell, Buckland, next Dover, Kent, nightman, Feb. 17 at 10, County Court of Kent, at Dover.—*Alfred Wm. Farrall*, Cambridge, out of business, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*George Brown*, Cambridge, out of business, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*Wm. Tully*, Brighton, Sussex, baker, Feb. 16 at 2, County Court of Sussex, at Brighton.—*Geo. Kirkham*, Brighton, Sussex, out of business, Feb. 16 at 2, County Court of Sussex, at Brighton.—*Henry Bourne*, Sellinge, Kent, out of business, Feb. 15 at 10, County Court of Kent, at Hythe.—*William Barker*, Hutton Sessay, near Thirsk, Yorkshire, labourer, Feb. 14 at 1, County Court of Yorkshire, at Thirsk.—*Thos. Elwood*, Ripon, Yorkshire, butcher, Feb. 21 at 10, County Court of Yorkshire, at Ripon.—*James Robinson*, Stafford, cooper, Feb. 20 at 10, County Court of Staffordshire, at Stafford.—*William Kimberley*, Bloxwich, Staffordshire, provision dealer, Feb. 26 at 12, County Court of Staffordshire, at Walsall.—*Robt. Heath*, Sevenoaks, Kent, coach maker, Feb. 14 at 10, County Court of Kent, at Sevenoaks.—*M. Sunkiss*, Birchills, Walsall, Staffordshire, miner, Feb. 26 at 12, County Court of Staffordshire, at Walsall.—*Joseph Hargreaves*, Sabden, Lancashire, druggist, Feb. 27 at 11, County Court of Lancashire, at Clitheroe.—*Henry Burgess*, Witney, Oxfordshire, tea dealer, Feb. 16 at half-past 10, County Court of Oxfordshire, at Witney.—*Robert Paybody*, Kettering, Northamptonshire, baker, Feb. 28 at 3, County Court of Northamptonshire, at Kettering.—*James Tarte*, West Bromwich, Staffordshire, coal master, Feb. 21 at 3, County Court of Staffordshire, at Oldbury.—*John Child*, Bishopsbourne, Kent, farmer, Feb. 14 at 10, County Court of Kent, at Canterbury.—*Alex. Sanders*, Newbury, Berkshire, watch maker, Feb. 26 at 10, County Court of Berkshire, at Newbury.—*Sarah Hamblin*, Speenhamland, Newbury, Berkshire, boot maker, Feb. 26 at 10, County Court of Berkshire, at Newbury.—*John Williams*, Darlaston, Staffordshire, butty collier, Feb. 26 at 12, County Court of Staffordshire, at Walsall.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 23 at 10, before Mr. Commissioner Law.

Stephen Salmon, Graham-st., Pimlico, Middlesex, out of business.

Feb. 24 at 10, before Mr. Commissioner Law.

Charles Parker, Tottenham-court-road, Middlesex, hosier.—*Dan. Hayley*, Gold-st., St. George's in the East, Middlesex, out of business.

Feb. 26 at 11, before Mr. Commissioner Phillips.

Thos. Harrop, Eltham, Kent, coal dealer.—*Geo. A. Soar*, Mount-street, Walworth, Surrey, painter.—*John Sherrard*, Curzon-st., May-fair, Middlesex.

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The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 23 *at* 11, *before Mr. Commissioner* HARRIS.

Samuel W. Nathan, Love-lane, Eastcheap, London, cane merchant.—*Alfred Soan*, Old Windsor, Berkshire, assistant to a licensed victualler.—*Reginald Remington* the younger, Hollywell-st., Strand, Middlesex, out of business.—*Marshall Tebbutt*, New Church-st., Portman-market, Middlesex, tea dealer.—*William Haynes*, Remington-st., City-road, meat salesman.—*Edw. J. Lance*, Frimley, near Bagshot, Surrey, surveyor.

Feb. 23 *at* 10, *before Mr. Commissioner* LAW.

Richard Harris, Barrington-road, North Brixton, Surrey, out of business.

Feb. 24 *at* 10, *before Mr. Commissioner* LAW.

Charles Elliott, Fisher's-lane, Turnham-green, Middlesex, market gardener.—*John Rutherford* the elder, Wallis-yard, Pimlico, Middlesex, pianoforte maker.—*E. P. Mainwaring*, New Bond-st., Middlesex, out of employment.

Feb. 24 *at* 11, *before Mr. Commissioner* PHILLIPS.

Charles Wyatt the younger, South Lambeth, Surrey, out of business.—*Wm. Ford*, Church-st., Fulham, Middlesex, maltster.—*Fred. Banks*, High-st., Deptford, Kent, baker.

Feb. 26 *at* 11, *before the* CHIEF COMMISSIONER.

John S. Prady, London-st., near Fitzroy-sq., Middlesex, stable keeper.—*W. Fowler* the younger, Holly-terrace, Windham-road, Surrey, out of business.—*Charlotte Armstrong*, New North-st., Queen-sq., Middlesex, embroideress.—*B. J. Martin*, Jubilee-place, Commercial-road East, Middlesex, out of business.—*Thos. North*, London-road, Southwark, Surrey, foreman to a zinc worker.—*Jas. Brewer*, Red Lion-st., Clerkenwell, Middlesex, tin plate worker.

Feb. 26 *at* 11, *before Mr. Commissioner* HARRIS.

John Gardiner, Union-st., Kennington-cross, Surrey, out of employment.—*Thos. W. Parkes*, Southwood-lane, Highgate, out of business.—*Fred. Clarke*, Sackville-st., Piccadilly, Middlesex, surgeon dentist.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at YORK CASTLE, *Feb.* 24 *at* 9.

Richard Oldfield, Dewsbury, card maker.—*W. Wagstaff*, Heslington, near York, bleacher.—*Thos. Theakston*, Azerley, near Ripon, farmer.—*E. Batty*, Leeds, brewer.—*Edward S. Minton*, Bradford, commission agent.—*Robert Hoyle*, Halifax, dealer in wool.—*Jas. Marsden*, Dewsbury, out of business.—*Wm. Smith*, Halifax, out of business.—*E. Jowett*, Westgate, Bradford, domestic servant.—*A. Wheatley*, West Garforth, near Leeds, schoolmistress.—*Thos. Gordon*, Low Harrogate, out of business.—*John Wilson*, Holbeck, near Leeds, joiner.—*Mary Simpson*, widow, White Abbey, near Bradford, out of business.—*Ben. Wood*, Leeds, out of business.—*J. Harrison*, Bradford, out of business.—*John Thompson*, Knaresborough, assistant shopkeeper.

At the County Court of Cambridgeshire, at CAMBRIDGE, *Feb.* 24 *at* 10.

Samuel Maycock, Cambridge, out of business.

At the County Court of Staffordshire, at STAFFORD, *Feb.* 20 *at* 10.

John Campbell, Wolverhampton, wood screw manufacturer.

MEETING.

William Gain, Portsea, Hampshire, butcher, Feb. 27 at 12, Long's, Portsea, sp. aff.

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*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, FEBRUARY 17, 1849.

The case of *Cox* v. *The Midland Railway Company* (13 Jur. 65) has excited discussion within and beyond the circle of the Legal Profession. The decision is, undoubtedly, one of great importance, affecting the safety of the public and the liabilities of railway companies.

We agree with those who maintain that the rules of law should, where it is possible, be moulded so as to meet the exigences of the times, and the new relations which may be created between man and man by altered circumstances of a general and widely influential character; but we think that this was not a case for the determination of which it was necessary to adopt such a course.

The point for consideration was, whether, if a person has been injured through the negligence of a servant of the Company, the superintendent of the traffic department could bind the Company for the payment of the medical man employed to attend the injured person by such superintendent?

It was, therefore, the simple case of principal and agent, of master and servant; and the law which governs those relations was the law to be administered on this occasion. It makes no difference, in this respect, whether the principal be a corporation, a company, or an individual.

The civil liability of a master for the contract of his servant is clearly founded upon the express or implied authority of the master for the making of the contract; and such authority must be proved by direct evidence, or by circumstances whence it may be inferred by the jury. In the instance of a special agent—e. g. the superintendent of the traffic department of a railway—he is ex officio invested only with limited powers, and it is the duty of those who deal with him, as an agent, to ascertain the extent of his authority. If they do not take this precaution, they contract with him at their peril, and must bear any consequent loss.

It is true that this was a case of urgent necessity. There was no time to learn the will of the principal. It was the natural and moral duty of the superintendent not to hesitate in sending for a medical assistant to attend the wounded man; but there was no *legal* obligation imposed upon him to do so; neither would there have been on the Company or its directors, had they been present. As far as regards the urgency of the case, it was governed by the decision of the Exchequer in *Hawtayne* v. *Bourne*, (7 Mee. & W. 595), recognised and acted upon in *Ricketts* v. *Bennett*, (17 Law Journ., N. S., C. P., 17). There, a resident agent was appointed by the directors of a mining company to manage the mine; warrants of distress were about to be enforced against the machinery in the mine, whereby it would probably have been flooded by water; and, in order to prevent the seizure, he borrowed the money, and paid it in satisfaction of the debts. It was held, that he had no implied authority from the shareholders to do this. Baron Parke there said—"The law provides for that which is common, not for that which is unusual." And the question in such cases appears to be, what is the authority of the agent in *ordinary* circumstances? as such is the authority supposed to have been contemplated by the principal when he appointed a delegate for particular purposes. It has also been decided, that a Master is not impliedly liable for medical attendance upon his own servant, who has met with an accident in his service; (*Wennal* v. *Adney*, 3 B. & P. 247; *Reg.* v. *Smith*, 8 C. & P. 153); and it would, therefore, be difficult to hold, that a master should be

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impliedly liable for such attendance procured by his servant for a third party.

The Court, in the principal case, seem to have considered that this class of railway servants have no more authority to bind the company than is possessed by a coachman to bind the proprietor of a coach. They also appeared to be of opinion, that, to hold such a contract binding on the company, would be to allow the servant to decide whether the company were liable for the injury. There would probably, therefore, have been danger in extending the doctrine of implied liabilities (which in themselves are dangerous) to this case; and the Court of Exchequer were warranted in arriving at their conclusion, both upon principle and by the force of analogous decisions. Still it cannot, we think, be denied that the law requires amendment in this respect. The medical profession have earned an honourable renown for humanity, and are in general, we believe, actuated by high motives in the discharge of their duties. There must, however, be many amongst them who would object to leaving their home and immediate business to take a long journey and attend upon a poor man unable to remunerate them for their services. A medical man should not be subjected to the loss, nor a man who has met with an accident to the danger of being deprived of assistance. In the case we have been considering, it was deemed requisite to have the services of an eminent surgeon; and Mr. Cox (who bears that character) had to travel at night forty miles to the patient.

If the Company are liable for the accident, they are liable to the sufferer for the expenses of his medical attendant. Since Lord Campbell's Act, (9 & 10 Vict. c. 93), it is to their pecuniary interest that the man injured by them should not die. It is only, therefore, when the accident is not caused by them, (cases which are very rare, and not to be determined with certainty at the time of their occurrence), that they might suffer loss, in a pecuniary sense, by being liable in the first instance for medical expenses.

Looking at all the incidents of the question, the safety of the public, and the requirements of common humanity, we think that railway companies should at once declare, that they will be liable in the first instance for all expenses reasonably incurred on behalf of persons who have been injured on their line of railway, but that such liability shall be no admission of their liability for the accident; and that, if the accident has occurred through the party's own negligence or wilfulness, he shall reimburse the company the expenses. If such a resolution be not come to by the companies themselves, we trust that the Legislature will exert its compulsory powers for this object.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, at Westminster, has appointed George Cutler Parker, Gent., of Wrexham, Denbighshire, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Denbigh, also in and for the county of Flint.

ERRATUM.—In last week's Jurist, p. 44, line 4 from the top, *for* him *read* them.

London Gazettes.

TUESDAY, FEBRUARY 13.

BANKRUPTS.

GEORGE CARR TEMPERLEY, formerly of Summerhill, Dartford, Kent, and late of Kingsland-crescent, Middlesex, coal merchant, dealer and chapman, (now in the Debtors Prison for London and Middlesex, Whitecross-st., London), Feb. 20 and March 27 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lewis & Lewis, 10, Ely-place, Holborn.—Fiat dated Feb. 6.

JAMES M'GILL, Crimscott-street, Willow-walk, Bermondsey, Surrey, victualler, dealer and chapman, Feb. 22 at half-past 12, and March 26 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Sheard, Old Jewry.—Fiat dated Feb. 8.

WILLIAM SPRINGBETT and THOMAS SPRINGBETT, Leadenhall-street, London, and Charlotte-row, Walworth-road, Surrey, wine and beer merchants, dealers and chapmen, (trading under the style or firm of Springbett Brothers), Feb. 19 at 1, and April 2 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Young & Son, Mark-lane.—Fiat dated Feb. 5.

GEORGE MELVILLE HORTON, Hatton-garden, Middlesex, jeweller, dealer and chapman, Feb. 23 at 12, and March 29 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Pocock & Poole, 58, Bartholomew-close.—Fiat dated Feb. 12.

JOHN NASH, Globe-wharf, Rotherhithe, Surrey, and of Reed Farm, Strood, Kent, and lately of Duke-st., Southwark, Surrey, timber and hop merchant, Feb. 23 at 11, and March 29 at half-past 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Shield & Harwood, 26, Queen-st., Cheapside.—Fiat dated Feb. 7.

FREDERICK COX, Liverpool, straw plait dealer and bonnet manufacturer, dealer and chapman, Feb. 27 at half-past 1, and March 27 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sole & Turner, 68, Aldermanbury.—Fiat dated Feb. 9.

GEORGE FRANCIS, Rayleigh, Essex, lately an innkeeper, but now out of business, Feb. 20 at half-past 1, and March 27 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Chidley, Guildhall-chambers, Basinghall-street.—Fiat dated Feb. 10.

JOSEPH OLIVER LYON, Chatteris, Isle of Ely, Cambridgeshire, farmer, cattle dealer, potato merchant, dealer and chapman, Feb. 22 at 2, and March 22 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Nicholas & Doyle, Bedford-row, London.—Fiat dated Feb. 10.

GEORGE SIMCOX YATES BRICKNELL, Cheltenham, Gloucestershire, coach proprietor and accountant, dealer and chapman, March 2 and 30 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Chesshyre, Cheltenham; Bromley & Aldridge, 1, South-square, Gray's-inn.—Fiat dated Feb. 8.

JOHN BRADLEY, Boston, Bramham, Yorkshire, painter and paper hanger, dealer and chapman, March 5 and 19 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bond & Barwick, Leeds; Williamson & Hill, Great James-street, London.—Fiat dated Feb. 8.

EDWARD PASS, Sheffield, Yorkshire, butcher, Feb. 24 and March 31 at 12, District Court of Bankruptcy, Sheffield; Off. Ass. Freeman; Sols. Rayner, Sheffield; Moss, Serjeant's-inn, London.—Fiat dated Feb. 8.

WILLIAM LEE ADAMS, Selby, Yorkshire, clock and watch maker, dealer and chapman, March 6 and April 2 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Hodgson, Selby; Harle & Clarke, Leeds; Lever, King's-road, Bedford-row, London.—Fiat dated Feb. 9.

JOHN SWINDELL, Ardwick, Manchester, plumber and glazier, dealer and chapman, Feb. 23 and March 16 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Cope & Faulkner, Manchester; Bower, Tokenhouse-yard, Lothbury, London.—Fiat dated Feb. 7.

ROBERT WILSON SMILES, Blackburn, Lancashire, bookseller, stationer, printer, dealer and chapman, March 1 and 16 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Wilding & Fisher, Blackburn; Milne & Co., Temple, London.—Fiat dated Feb. 8.

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WILLIAM GREEN, Birkenhead, Cheshire, auctioneer, cabinet maker, and furniture dealer, (lately carrying on business as a brewer in Birkenhead aforesaid, Feb. 26 and March 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Francis & Co., Liverpool; Chester & Co., Staple-inn, London.—Fiat dated Feb. 9.

JAMES BAIRNSFATHER SCOTT, Denham Springs, near Chorley, Lancashire, and Manchester, calico printer, dealer and chapman, Feb. 26 and March 19 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester; Reed & Co., Friday-street, Cheapside, London.—Fiat dated Feb. 8.

Meetings.

Thomas Manson, King William-street, London, underwriter, Feb. 24 at 1, Court of Bankruptcy, London, last ex.—*G. Workman*, St. George's-place, Water-lane, Brixton, Surrey, beer-shop keeper, March 8 at 12, Court of Bankruptcy, London, last ex.—*George Heathcote* and *Robert Heathcote*, Clapham, Surrey, coach masters, March 7 at half-past 12, Court of Bankruptcy, London, last ex. of *Robt. Heathcote*.—*E. Pillow*, Canterbury, Kent, dealer in paper hangings, March 8 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*Peter Thompson* the elder, Osnaburg-place, New-road, St. Pancras, and Commercial-road, Limehouse, Middlesex, carpenter, March 7 at 11, Court of Bankruptcy, London, aud. ac.—*Sam. J. Thomas*, London-road, Surrey, surgeon, March 6 at 11, Court of Bankruptcy, London, aud. ac.—*John Webb Fielder* and *John Bradbury*, Thavies-inn, Holborn-hill, London, lace merchants, March 7 at 12, Court of Bankruptcy, London, aud. ac.—*John De Levante*, Wood-street, London, shirt maker, March 7 at 11, Court of Bankruptcy, London, aud. ac.—*James Hobson* and *Chas. Hobson*, Waltham Abbey, Essex, and Enfield, Middlesex, stone masons, March 7 at 12, Court of Bankruptcy, London, aud. ac.—*Geo. Conrod Gros*, Southampton, ironmonger, March 15 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Alex. Broad*, Brixton-road, Brixton, Surrey, builder, March 15 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Wood*, Bardon-mill, Tonbridge, Kent, miller, March 8 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Norton Brown*, Fetter-lane, pawnbroker, and Throgmorton-st., London, stock and share broker, March 9 at 11, Court of Bankruptcy, London, aud. ac.—Geo. *Robinson*, South Audley-street, Grosvenor-square, Middlesex, licensed victualler, March 6 at 11, Court of Bankruptcy, London, aud. ac.—*T. Wilmot*, Moreton in Marsh, Gloucestershire, chemist, March 2 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Davies* the younger, *Llanelly*, Carmarthenshire, linen draper, March 16 at 11, District Court of Bankruptcy, Bristol, aud. ac.; March 19 at 11, div.—*Archibald Dickson*, Narberth, Pembrokeshire, grocer, March 16 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Wright*, South Shields, Durham, banker, March 7 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 9 at 12, div.—*Wm. Anderson*, Chester-le-street, Durham, draper, March 6 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 7 at half-past 10, fin. div.—*Christopher Martin*, Darlington, Durham, plumber, March 6 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Alfred Johnson*, South Shields, Durham, printer, March 6 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Charles Bertram* and *William Parkinson*, Newcastle-upon-Tyne, merchants, March 6 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 7 at half-past 11, div.—*Matthew Davison*, Newcastle-upon-Tyne, draper, March 6 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 9 at 11, div.—*A. Blumenthall*, Birmingham, wine merchant, March 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Henley*, Birmingham, glass cutter, March 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Marshall*, Shipston-on-Stour, Worcestershire, corn dealer, March 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John P. Shuttleworth*, Birmingham, mathematical instrument maker, March 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Vaughan*, High Holborn, Middlesex, leather dresser, March 6 at 12, Court of Bankruptcy, London, div.—*Thomas Thompson*, Brighton, Sussex, grocer, March 6 at 12, Court of Bankruptcy, London, div.—*Valentine S. Godfrey*, Duddington, Northamptonshire, miller, March 6 at 12, Court of Bankruptcy, London, div.—*Amos Potter*, Pakenham, Suffolk, butcher, March 8 at 2, Court of Bankruptcy, London, div.—*Joseph Hobson* and *Thos. Mowbray*, Leicester, builders, March 9 at 11, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*James Batson*, Great Bridge, and *Wm. Batson*, Handsworth, Staffordshire, iron masters, March 3 at 10, District Court of Bankruptcy, Birmingham, div.—*John Harford* and *Wm. W. Davies*, Bristol, and Ebbw-vale and Sirhowy, Monmouthshire, iron masters, April 2 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Wm. Townley* the younger, Manchester, Lancashire, stockbroker, March 8 at 11, District Court of Bankruptcy, Manchester, aud. ac.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Jas. Warne, Newport, Isle of Wight, Southampton, grocer, March 8 at 2, Court of Bankruptcy, London.—*Matthew Davison*, Newcastle-upon-Tyne, draper, March 9 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Francis Douglas Haviland*, Burwash, Sussex, hop merchant, March 9 at 12, Court of Bankruptcy, London.—*J. Heritage*, Uxbridge, Middlesex, draper, March 9 at half-past 12, Court of Bankruptcy, London.—*Wm. Sharpe*, Luton, Bedfordshire, plumber, March 7 at 11, Court of Bankruptcy, London.—*Samuel S. Pollard*, Cross-st., High-st., Islington, Middlesex, grocer, March 7 at half-past 11, Court of Bankruptcy, London.—*Wm. Toms* the younger, Honicknowle, St. Budeaux, Devonshire, victualler, March 8 at 1, District Court of Bankruptcy, Exeter.—*John Ransford*, Leamington-priors, Warwickshire, coal merchant, March 8 at 12, District Court of Bankruptcy, Birmingham.—*Daniel Horton*, Russell's Hall Iron-works, near Dudley, Worcestershire, iron master, March 13 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 6.

Leonard Thompson, West Bromwich, Staffordshire, coach maker.—*Wm. Edward H. Guillaume*, Botley, Southampton, timber merchant.—*Jireh Towne*, George-street, Spitalfields, Middlesex, engineer.—*William John Cormack*, New-cross, Deptford, Surrey, seedsman.—*John Hogg*, Walcot, Somersetshire, draper.—*Wm. F. Thomas*, Princes-st., Hanover-sq., Middlesex, tailor.—*George Hardon*, Preston, Lancashire, joiner.—*Henry Moseley*, Derby, carver.—*John Thorman*, Grosvenor-st., Camberwell, Surrey, wholesale tea dealer.—*Elizabeth Widdowson*, Dover-street, Piccadilly, Middlesex, lodging-house keeper.

Partnership Dissolved.

Richard Alfred Goodman and *Thomas Watts*, Coleman-st., London, attornies and solicitors, (under the firm of Goodman & Watts).

Scotch Sequestrations.

Alex. Cameron, Dundee, merchant.—*John Grassick*, Aberdeenshire, banker.—*James Campbell*, Dundee, merchant.—*Buchanan & Anderson*, Glasgow, gingham and pullicate manufacturers.—*John Trotter*, Alloa, Clackmannan, druggist.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John B. Blackbourn, Alford, Lincolnshire, tailor, March 14 at 12, County Court of Lincolnshire, at Spilsby.—*Wm. Zachary*, Liverpool, cooper, Feb. 19 at 10, Liverpool District County Court, at Liverpool.—*J. Henderson*, Liverpool, barman to a spirit dealer, Feb. 19 at 10, Liverpool District County Court, at Liverpool.—*Wm. Kettle*, Newcastle-under-Lyme, Staffordshire, baker, Feb. 21 at 11, County Court of Staffordshire, at Hanley.—*Henry Roxby*, Strangeways, Manchester, comedian, Feb. 23 at 1, County Court of Lancashire, at Manchester.—*Wm. Harrop*, Epworth Holmes, Epworth, Lincolnshire, farmer, Feb. 26 at 1, County Court of Yorkshire, at Thorne.—*John Potter*, Oldham, Lancashire, out of business, March 2 at 10, County Court of Lancashire, at Oldham.—*Henry Pollitt*, Dalton, Kirkheaton, Yorkshire, keeper of a tap-room, March 1 at 10, County Court of Yorkshire, at Huddersfield.—*Jos. Smith*, Nottingham, coal dealer, March

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8 at 9, County Court of Nottinghamshire, at Nottingham.—*Robert Byron*, Nottingham, out of business, March 8 at 9, County Court of Nottinghamshire, at Nottingham.—*John L. Elmes*, Nottingham, out of business, March 8 at 9, County Court of Nottinghamshire, at Nottingham.—*Richard G. West*, Walmer, Kent, lodging-house keeper, Feb. 21 at 11, County Court of Kent, at Deal.—*John Reader*, Nonington, Kent, thatcher, Feb. 22 at 11, County Court of Kent, at Deal.—*John H. Hawthorn*, Willenhall, Staffordshire, assistant to a chemist, Feb. 19 at 12, County Court of Staffordshire, at Wolverhampton.—*James Oliver*, Wolverhampton, Staffordshire, out of business, Feb. 19 at 12, County Court of Staffordshire, at Wolverhampton.—*Amelia Heighway*, Liverpool, confectioner, Feb. 19 at 10, Liverpool District County Court, at Liverpool.—*Wm. Le Jeune*, Southampton, seedsman, Feb. 24 at 10, County Court of Hampshire, at Southampton.—*E. Woodland*, Southampton, clerk, Feb. 24 at 10, County Court of Hampshire, at Southampton.—*John Nelson*, Bury, Lancashire, cotton spinner, Feb. 28 at 12, County Court of Lancashire, at Bury.—*J. Stanway*, Gravenhunger, Mucclestone, Shropshire, farmer, March 5 at 12, County Court of Shropshire, at Drayton.—*Henry Moir*, Pirbright, Surrey, baker, Feb. 27 at 1, County Court of Surrey, at Guildford.—*Samuel Haywood*, Burslem, Staffordshire, beer seller, Feb. 22 at 10, County Court of Staffordshire, at Hanley.—*John M. Cotton*, Burslem, Staffordshire, druggist, Feb. 22 at 10, County Court of Staffordshire, at Hanley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 27 *at* 11, *before the* CHIEF COMMISSIONER.

John Harwood, Newgate-market, poultry salesman.—*Sam. Hurrell*, Cansel-street, Walworth, superannuated clerk in her Majesty's Excise.—*Samuel Jackson*, Finchley, Middlesex, blacksmith.—*Agnes Lewis*, Alpha-street, New Peckham, Old Kent-road, Surrey, out of business.—*Hen. Harmer*, Jamaica-level, Rotherhithe, Surrey, beer-shop keeper.

Feb. 27 *at* 11, *before Mr. Commissioner* HARRIS.

Jabez Worlidge, Arthur-street, Plumstead, Kent, jobbing wheelwright.—*Ben. Webber*, King-st., Woolwich, Kent, carpenter.—*John Agg*, May's-buildings, Buck-street, May-fair, Middlesex, lodging-house keeper.—*James Saunders*, Overy-street, Dartford, Kent, coal dealer.—*John Liversidge*, Moore's-cottages, Stamford-brook, New-road, Hammersmith, coach-maker.—*Francis Streeton*, Gravel-lane, Southwark, Surrey, general shopkeeper.—*Jos. Kirke* the younger, Cadogan-street, Chelsea, Middlesex, nuseryman.—*Jos. Kirkland*, Farringdon-street, London, assistant to a coffee-house keeper.—*W. Twemlow*, New Hampton, Middlesex, plumber.

Feb. 28 *at* 10, *before Mr. Commissioner* LAW.

Robert Cunnington, Pleasant-row, Cambridge-road, Mile-end, grocer.—*Charles Dore*, Austin-friars, London, broker's clerk.

March 1 *at* 11, *before the* CHIEF COMMISSIONER.

George William Andre, Wellington-street, Clerkenwell, working jeweller.

March 1 *at* 10, *before Mr. Commissioner* LAW.

John Browning, Shenley, Hertfordshire, dealer in hay.

March 1 *at* 11, *before Mr. Commissioner* PHILLIPS.

Wm. Davies, Alfred-villa, Kilburn-lane, Middlesex, general dealer.—*Sam. F. Hamling*, Spencer-street, Clerkenwell, Middlesex, stone mason.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Lloyd, Llandilo, Carmarthenshire, currier, No. 69,493 C.; William Francis Patient, assignee.—*Hugh Lloyd*, Ottery-place, College-st., Pelham-crescent, Brompton, Middlesex, attorney at law, No. 60,383 T.; Joseph Henry Eyre, assignee.

Saturday, Feb. 10.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Dearle, Hollybush-hill, Hampstead, Middlesex, in no trade: in the Queen's Prison.—*Sir Thos. Howland Roberts*, Bart., Appleby-cottage, Cheshunt, Hertfordshire, not in any occupation: in the Queen's Prison.—*Wm. Pawley*, High-st., Poplar, Middlesex, pawnbroker's assistant: in the Debtors Prison for London and Middlesex.—*Geo. Huggins*, Hill-road, Abbey-road, St. John's-wood, Middlesex, nurseryman: in the Debtors Prison for London and Middlesex.—*Theophilus Kirkham*, Woods-road, High-st., Peckham, Surrey, commission agent: in the Debtors Prison for London and Middlesex.—*Jairus Jas. Wilcocks*, Paddington, Middlesex, surgeon: in the Debtors Prison for London and Middlesex—*Jos. Lezard*, Herbert-st., New North-road, Hoxton, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Jos. Fundell*, Red Lion-st., Holborn, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Hen. Gladstone*, Canterbury-terrace, Dover-road, Borough, Southwark, Surrey, hosier: in the Queen's Prison.—*G. Strutt*, Richmond-place, East-lane, Walworth, Surrey, dealer in building materials: in the Queen's Prison.—*Benj. Dix*, Ralph-place, Brunswick-st., Dover-road, Newington, Surrey, dealer in building materials: in the Queen's Prison.—*Fred. Percy Helen*, Burlington-arcade, Piccadilly, Middlesex, dentist: in the Debtors Prison for London and Middlesex.—*Dan. Coe*, Marple, Cheshire, grocer: in the Gaol of Chester.—*Jas. Watson*, Stockton-upon-Tees, Durham, plumber: in the Gaol of Durham.—*Wm. Bardsley*, Daw-bank, Stockport, Cheshire, pork butcher: in the Gaol of Chester.—*Lewis Edwards*, Dowlais, Glamorganshire, grocer: in the Gaol of Cardiff.—*David Lloyd*, Cowbridge, Glamorganshire, publican: in the Gaol of Cardiff.—*Henry Rathbone*, Chester, labourer: in the Gaol of Chester.—*David Schofield*, Greetland, near Halifax, Yorkshire, farmer: in the Gaol of York.—*John Slinger* the younger, Lancaster, railway contractor: in the Gaol of Lancaster.—*Mark Terry*, Batley, near Dewsbury, Yorkshire, cloth manufacturer: in the Gaol of York.—*Wm. Wilmshurst*, Canterbury, Kent, baker: in the Gaol of Canterbury.—*Sam. Beattie*, Deansgate, Manchester, assistant in spirit vaults: in the Gaol of Lancaster.—*John Dewe*, Oxford, stationer: in the Gaol of Oxford.—*Thos. Goddard*, Nottingham, licensed victualler: in the Gaol of Radford Peverel.—*Wm. Woodhead Smith*, Toton, Nottinghamshire, farmer: in the Gaol of Radford Peverel.—*Ratcliffe Worthington*, Old Cross, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Jos. King*, Ringwood, Hampshire, licensed victualler: in the Gaol of Winchester.—*Wm. Colledge*, South Shields, Durham, master mariner: in the Gaol of Durham.—*John Bradley*, Waterloo, near Liverpool, farmer: in the Gaol of Lancaster.—*Matthew Birkett*, Lamberhead-green, near Wigan, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Hen. Astley*, Blackburn, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Henry Lord*, Crawshaw Booth, near Haslingdon, Lancashire, plumber: in the Gaol of Lancaster.—*Henry Jones*, Manchester, licensed victualler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 27 *at* 10, *before Mr. Commissioner* LAW.

John Brown, Edgware-road, Middlesex, undertaker.—*Wm. Hamilton*, Rose-st., Soho, dealer in glass paper.—*Richard Harris*, Barrington-road, North Brixton, Surrey, out of business.

Feb. 28 *at* 10, *before Mr. Commissioner* LAW.

Wm. Hen. Grimwood, Denmark-street, Soho, Middlesex, chair maker.—*Ely Walker Crowther*, Philip-lane, London-wall, lodging-house keeper.

March 1 *at* 10, *before Mr. Commissioner* LAW.

Thos. Trulock, Cecil-st., Strand, Middlesex, seed factor.

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The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Nottinghamshire, at NOTTINGHAM, *March* 8.

Thos. Goddard, Nottingham, out of business.—*Wm. Woodhead Smith*, Toton, Nottinghamshire, out of business.

At the County Court of Sussex, at LEWES, *Feb.* 27.

Nicolas Amable Dubois, Brighton, confectioner.—*John Jacob Willard*, Brighton, out of business.—*Alfred Playstead Bartlett*, Lewes, plumber.

INSOLVENT DEBTORS' DIVIDENDS.

Thos. Wild, Victoria-grove, Stoke Newington, Middlesex, clerk in the Custom House: 5½*d.* in the pound.—*Charles Forbes Christie*, Upper John-st., Fitzroy-square, Middlesex, captain on half-pay, 2nd Bombay European Regiment of Light Infantry: 11*d.* in the pound.—*Philip Henry Smallbone*, Cole-st., Swan-st., Dover-road, Surrey, fruiterer: 10½*d.* in the pound.—*Walter Bullen* the elder, Garden-st., Stepney, Middlesex, locker in the Customs: 4*s.* 2*d.* in the pound.—*A. Burdett Vyse*, Liverpool-st., Walworth, Surrey, clerk to a straw hat manufacturer: 4*d.* in the pound.—*John Game*, Tyssons-road, Stoke Newington, Middlesex, driver of an omnibus: 1*s.* 1*d.* in the pound.—*Henry White*, Doddington-grove, Kennington, Surrey, reader to a printer: 10½*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

FRIDAY, FEBRUARY 16.

INSOLVENT.

JEREMIAH ADDISON, Great Ouseburn, Yorkshire, corn dealer.

BANKRUPTS.

SAMUEL BENNETT, High-street, Islington, Middlesex, draper and laceman, dealer and chapman, Feb. 23 at 1, and March 29 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Abrahams, 4, Lincoln's-inn-fields.—Fiat dated Feb. 8.

RICHARD COOPER, Chipping Ongar, Essex, licensed victualler, Feb. 22 and April 2 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Turner & Son, Mount-place, Whitechapel-road.—Fiat dated Feb. 7.

GEORGE KINNELL, late of Cashalton, Surrey, and now of Bolton-terrace, Edward-st., Walworth, Surrey, spinner and hearth-rug manufacturer, dealer and chapman, Feb. 26 at 2, and April 2 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Dickson & Overbury, Frederick's-place, Old Jewry.—Fiat dated Feb. 8.

HENRY PRESTON WILLS, High Holborn, Middlesex, victualler and tavern keeper, March 3 at 2, and March 31 at half-past 1, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Messrs. Barrow, Great Portland-street, Marylebone.—Fiat dated Feb. 14.

WILLIAM SOLOMON, Union-street, Southwark, Surrey, and High Holborn, Middlesex, tea dealer and grocer, March 3 at half-past 1, and March 31 at 1, Court of Bankruptcy, London: Off. Ass. Green; Sol. Matthews, St. Mary Axe.—Fiat dated Feb. 12.

WILLIAM IRVING, Birmingham, draper, dealer and chapman, Feb. 24 and March 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Nield, Manchester; Hodgson, Birmingham.—Fiat dated Feb. 1.

WILLIAM RODEN, Evelith, Shiffnal, miller, and Coppice Farm, Kemberton, Shropshire, farmer, Feb. 22 and March 20 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Glover, Shiffnal; Motteram & Co., Birmingham.—Fiat dated Feb. 7.

JOHN EDWARD CHRISTIAN, Liverpool, ship broker, dealer and chapman, (carrying on business at Liverpool, in partnership with Thomas Wilkinson, under the style or firm of Christian & Wilkinson), Feb. 27 and March 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Dodge, Liverpool; Bridger & Co., King William-st., London.—Fiat dated Feb. 9.

LEVI DAVIS, Redditch, Worcestershire, needle manufacturer, dealer and chapman, Feb. 28 and March 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Hodgson, Birmingham.—Fiat dated Feb. 10.

JOSEPH BUSST, Walsall, Staffordshire, timber merchant, dealer and chapman, March 3 at 12, and April 10 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Hinchliffe, Westbromwich; Hodgson, Birmingham.—Fiat dated Dec. 23.

CHARLES HENRY HUSKINSON, Birmingham, licensed victualler and innkeeper, dealer and chapman, Feb. 27 and March 20 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Wright, Birmingham.—Fiat dated Feb. 8.

THOMAS DIXON, Little Dawley, Dawley, Shropshire, grocer, March 1 and 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Phillips, Shiffnal; Motteram & Co., Birmingham.—Fiat dated Feb. 10.

FRANCIS PAYNTER, Penzance, Cornwall, attorney and money scrivener, dealer and chapman, Feb. 27 and March 27 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Rogers, Helston, Cornwall; Stogdon, Exeter; Gregory & Co., Bedford-row, London.—Fiat dated Feb. 12.

CHARLES JEPSON, New Malton, Yorkshire, innkeeper and farmer, dealer and chapman, March 2 and 29 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Scholfield, York; Harle & Clarke, Leeds; Lever, King's-road, Bedford-row, London.—Fiat dated Feb. 10.

GEORGE LATHAM, Liverpool, hotel keeper, licensed victualler, dealer and chapman, Feb. 26 and March 28 a 11, District Court of Bankruptcy, Liverpool: Off. Ass Morgan; Sols. Woodburne, Liverpool; Keighley & Co., Chancery-lane, London.—Fiat dated Feb. 13.

FRANCIS GEORGE HARBORD, Liverpool, wine and spirit merchant, (lately carrying on business at Liverpool, in co-partnership with William Dalgliesh, under the style or firm of William Dalgliesh, as wine and spirit merchants, and at the same time carrying on business at Liverpool aforesaid, in co-partnership with William Dalgliesh and Robert Dutton Reeves, under the style or firm of R. D. Reeves & Co., as wine and spirit dealers), Feb. 27 and March 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Greene, Liverpool; Maples & Co., Old Jewry, London.—Fiat dated Feb. 12.

AUGUSTUS MONGREDIEN, Liverpool, merchant, Feb. 26 and March 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Avison & Prett, Liverpool; Surr & Gribble, Lombard-street, London.—Fiat dated Feb. 10.

JAMES CAIRSFIELD ALLON, North Shields, Northumberland, brewer, builder, dealer and chapman, Feb. 23 at half-past 12, and March 29 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Lutch & Kewney, North Shields; Jobling & Fleming, Newcastle; Bell & Co., Bow Church-yard, London.—Fiat dated Dec. 29.

RICHARD ENGLISH, Sunderland, Durham, wine and spirit merchant, Feb. 23 and March 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Cooper, Sunderland; Loveland & Beckitt, 64, Lincoln's-inn-fields.—Fiat dated Feb. 9.

MEETINGS.

Thos. R. Hazard, Liverpool, merchant, March 2 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*R. Dawson*, Thorney, Isle of Ely, Cambridgeshire, grocer, March 1 at half-past 11, Court of Bankruptcy, London, last ex.—*Wm. Trap*, Warminster, Wiltshire, mason, March 3 at 12, Court of Bankruptcy, London, last ex.—*H. E. Stevens*, Grays, Essex, grocer, March 14 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*Wm. Shaw* the younger, Salford, Lancashire, printer, Feb. 28 at 11, District Court of Bankruptcy, Manchester, last ex.—*Gilbert Currie*, Church-row, Upper-street, Islington, Middlesex, and St. Swithin's-lane, Lombard-st., London, Italian warehouseman, March 15 at half-past 12, Court of Bankruptcy, London, aud. ac.—*J. Gurman*, Bitterne, South Stoneham, Southampton, builder, March 13 at 11, Court of Bankruptcy, London, aud. ac.—*Ann Evans*, Raglan, Monmouthshire, victualler, March 13 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Coop*, Radcliffe, Lan-

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cashire, timber merchant, March 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thos. Nesbitt* and *R. C. Nesbitt*, Sunderland, Durham, brewers, March 13 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Davis*, Halifax, Yorkshire, commission agent, March 26 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, first and fin. div.—*Thomas Ridehough* and *John Ridehough*, Mytholme Royd, Halifax, Yorkshire, worsted spinners, March 26 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, fin. div.—*John Sykes*, Birstall, Yorkshire, corn miller, March 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, first and fin. div.—*W. Blain*, Liverpool, corn merchant, March 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; March 14 at 11, div.—*T. Priestey*, Bedford, grocer, March 15 at half-past 11, Court of Bankruptcy, London, div.—*Joseph King*, North Audley-st., Grosvenor-square, Middlesex, coach builder, March 15 at 12, Court of Bankruptcy, London, div.—*E. M. Totterdell* and *John Gruchy*, Portsea, Hampshire, woollen draper, March 15 at 11, Court of Bankruptcy, London, div.—*John Morgan* the elder and *John Morgan* the younger, Hereford, and Glasbury, Radnorshire, woolstaplers, March 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div. sep. est. of *John Morgan* the elder.—*Francis Bassano*, Aston, near Birmingham, coach founder, March 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; March 20 at 10, div.—*John Matthews* and *Chas. D. Matthews*, Chipping Norton, Oxfordshire, and Chipping Campden, Gloucestershire, bankers, March 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div. sep. est. of *C. D. Matthews*, and fin. div. sep. est. of *J. Matthews*.—*Edw. Christian*, Liverpool, shipsmith, March 12 at 11, District Court of Bankruptcy, Liverpool, div.—*Jonathan Beckett*, Liverpool, ironmonger, March 12 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Bruce, Albany-st., Regent's-park, Middlesex, baker, March 16 at 11, Court of Bankruptcy, London.—*Elizabeth Ling*, Norwich, brush maker, March 12 at half-past 1, Court of Bankruptcy, London.—*Thomas Mannington*, Brighton, Sussex, tobacconist, March 10 at 11, Court of Bankruptcy, London.—*Charles Brackett*, North-st., Spitalfields-market, Middlesex, fruit salesman, March 15 at 12, Court of Bankruptcy, London.—*Thos. Jordan*, Hammersmith, Middlesex, brick maker, and Jewry-st., Aldgate, London, machine maker, March 15 at 2, Court of Bankruptcy, London.—*Fred. Wm. Luck*, Cheltenham, Gloucestershire, tailor, March 15 at 12, District Court of Bankruptcy, Bristol.—*James Dredge*, Bath, Somersetshire, brewer, March 9 at 11, District Court of Bankruptcy, Bristol.—*John Pearson*, Middleton, Yorkshire, miller, March 19 at 12, District Court of Bankruptcy, Leeds.—*Wm. Linley*, Conisbrough, Yorkshire, scythe manufacturer, March 10 at half-past 12, District Court of Bankruptcy, Sheffield.—*James Johnston*, St. Thomas the Apostle, Devonshire, tea dealer, March 8 at 1, District Court of Bankruptcy, Exeter.—*Wm. Corns* the younger, Wolverhampton, Staffordshire, builder, March 10 at 12, District Court of Bankruptcy, Birmingham.—*Samuel Taylor*, Poynton, Cheshire, butcher, March 9 at 11, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 9.

Rich. Hutton, Liverpool, painter.—*Edwin Taylor*, Clifton, Bristol, stockbroker.—*John Goodman*, Alpha-cottage, William-st., Caledonian-road, Islington, and Collier-st., Pentonville, Clerkenwell, Middlesex, cattle dealer.—*John C. Barr*, Old Bailey, London, and Blackman-st., Southwark, Surrey, hatter.—*John Ridgway*, Liverpool, merchant.—*T. Wright*, Hanley, Staffordshire, tailor.—*Henry M. Bowden*, Lime-st., Leadenhall-street, London, export merchant.—*James Guest*, Manchester, cotton spinner.—*Francis Bassano*, Deritend, Aston, near Birmingham, coach founder.—*John B. Amey*, Liverpool, ship broker.—*Wm. Tiley*, Reading, Berkshire, common brewer.—*W. N. Last*, Bury St. Edmund's, Suffolk, watch maker.

PARTNERSHIP DISSOLVED.

Dan. Cullington, *Dan. Cullington* the younger, and *George White*, Craven-st., Strand, Middlesex, attornies and solicitors, (under the style or firm of Cullington, Son, & White), so far as respects the said George White.

SCOTCH SEQUESTRATIONS.

Griffiths & Son, Edinburgh, umbrella manufacturers.—*A. Thomson*, Glasgow, spirit dealer.—*William Gibb*, Galston, grocer.—*James Laidlaw*, Kelso, coach builder.—*Thomas M'Queen*, Dornock, Dumfries, salmon fisher.—*William Mackersy*, Edinburgh, writer to the signet.—*John Muir*, Gartferry, Lanarkshire, lime contractor.—*John Williamson*, deceased, Glasgow, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Lewis, Rhiwgoch, Llanrhystid, Cardiganshire, student of divinity, Feb. 28 at 10, County Court of Cardiganshire, at Aberystwith.—*Dennis Potter*, Birdwood, Churcham, Gloucestershire, schoolmaster, March 12 at 10, County Court of Gloucestershire, at Gloucester.—*John Madelin* the elder, Gloucester, coal merchant, March 12 at 10, County Court of Gloucestershire, at Gloucester.—*Jonas Hoyle*, Green-hill-bank, New-mill, Kirkburton, Yorkshire, clothier, March 5 at 11, County Court of Yorkshire, at Holmfirth.—*H. Darnley*, Aspatria, Cumberland, grocer, Feb. 27 at half-past 9, County Court of Cumberland, at Carlisle.—*Saml. Rayner*, Stamford, Lincolnshire, publican, March 5 at 2, County Court of Lincolnshire, at Stamford.—*Wm. Emerson*, Lincoln, licensed victualler, March 5 at 11, County Court of Lincolnshire, at Lincoln.—*Masta J. Cooke*, Stockton-on-Tees, Durham, analytical and consulting chemist, March 13 at 10, County Court of Durham, at Stockton.—*Richard Floyd*, Truro, Cornwall, eating-house keeper, March 9 at 10, County Court of Cornwall, at Truro.—*John L. Tisseman*, Scarbro', Yorkshire, tailor, Feb. 26 at 10, County Court of Yorkshire, at Scarbro'.—*Saml. Pawley*, Tormoham, Devonshire, tailor, Feb. 24 at 11, County Court of Devonshire, at Newton Abbot.—*Wm. J. Robinson*, Sutton-upon-Trent, Nottinghamshire, plumber, March 3 at 12, County Court of Nottinghamshire, at Newark.—*Thomas Brown*, Gloucester, coal dealer, March 12 at 10, County Court of Gloucestershire, at Gloucester.—*Thomas Dawson*, Goulceby, Lincolnshire, wheelwright, March 15 at 10, County Court of Lincolnshire, at Horncastle.—*William Breward*, Alla-wood, Barthomley, Staffordshire, out of business, Feb. 21 at 11, County Court of Staffordshire, at Newcastle-under-Lyme.—*Wm. Johnson* and *Frederick Gurnell*, Horncastle, Lincolnshire, coach makers, March 15 at 10, County Court of Lincolnshire, at Horncastle.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 5 at 11, before Mr. Commissioner PHILLIPS.

Thos. Lane, Maze-pond, Southwark, Surrey, retailer of beer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 2 at 11, before Mr. Commissioner HARRIS.

Francis Champness, Rydon-terrace, Shepherdess-walk, City-road, Middlesex, warehouseman's assistant.—*Joseph Lezard*, Herbert-st., New North-road, Hoxton, Middlesex, commission agent.

March 3 at 11, before Mr. Commissioner PHILLIPS.

Thos. Barton Dawson, Prospect-row, Balls-pond, Islington, Middlesex, carman.—*Geo. Webster*, Belle Vue-villas, Choumert-place, Rye-lane, Peckham, Surrey, agent to the National Provident Institution.—*Geo. Carr*, Brudenell-place, New North-road, Hoxton, tea dealer.—*John Jackson*, Bishopsgate-street, London, assistant to a glass dealer.—*John Thomas Searle*, High-st., Hounslow, Middlesex, carrier.—*Theophilus Kirkham*, Wood's-road, High-st., Peckham, Surrey, commission agent.—*Wm. Robert Edwards*, Deverell-st., Newington, Surrey, wine broker.

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March 5 *at* 11, *before the* CHIEF COMMISSIONER.

Sam. Wm. Potter Steward, Godfrey-st., King's-road, Chelsea, out of business.—*Henry Alfred Horneman*, Florence-cottage, Willmott's-avenue, Old Kent-road, Surrey, surgeon.

March 5 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Pawley, High-st., Poplar, pawnbroker's assistant.—*Wm. Clarke*, St. John's-wood-terrace, Middlesex, cricketer.—*Wm. Moir*, Royal Mint-st., Whitechapel, Middlesex, eating-house keeper.—*Charles Cole*, St. John-street, West Smithfield, Middlesex, butcher.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cheshire, at CHESTER CASTLE, *March* 3 *at* 10.

George Evans, Stapeley, near Nantwich, shoemaker.—*Dodge, Marple*, woollen draper.—*Jos. Smith*, Altrincham, joiner.—*Mary Barnes*, Tarporley, publican.—*Jos. Griffith*, Birkenhead, letter-press printer.—*Sam. Riseley*, Macclesfield, grocer.—*John Alonzo Sanders*, Birkenhead, out of business.—*Wm. Bardsley*, Daw Bank, near Stockport, pork butcher.—*Hen. Rathbone*, Chester, labourer.—*Thos. Bentley Andrew*, Openshaw, near Manchester, out of business.—*Wm. Sutherland Meek*, Tarporley, surgeon.—*Robert Orton Eastes*, Hough-house, near Nantwich, in no business.

At the County Court of Oxfordshire, at OXFORD, *March* 13.

John Dewe, Oxford, stationer.

At the County Court of Kent, at MAIDSTONE, *March* 6.

Chas. Upton, Speldhurst, Kent, out of business.—*William Knight*, on board the emigrant ship, Francis Ridley, stationed at Deptford, Kent, tailor.

At the County Court of Cornwall, at BODMIN, *March* 7 *at* 10.

Geo. Robins, Davidstow, farmer.—*John Shear Robins*, Davidstow, farmer.

At the County Court of Lincolnshire, at LINCOLN, *March* 5 *at* 11.

Lawrence Spencer, Grantham, cattle dealer.—*John Elsey Barnett*, Sutton-bridge, near Long Sutton, baker.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *March* 2 *at* 10.

George Maunder, Uplowman, out of business.

At the County Court of Lancashire, at LANCASTER, *March* 2 *at* 10.

Matthew Birkett, Lumberhead-green, near Wigan, licensed victualler.—*Henry Lord*, Crawshaw Booth, near Haslingden, out of business.—*Henry Jones*, Deansgate, Manchester, out of business.—*Robert Bromley*, Maudland Bank, Preston, out of business.—*Wm. Owston*, Hulme, Manchester, book keeper.—*Ruth Mary Dawson*, Manchester, servant.—*Robert Howe*, Manchester, oyster dealer.—*James Shuttleworth*, Salford, out of business.—*Henry Astley*, Blackburn, out of business.—*Ratcliffe Worthington*, Ashton-under-Lyne, out of business.—*Thos. Spencer*, Bootle, near Liverpool, out of business.—*John Slinger* the younger, Lancaster, out of business.—*John Leeming*, Lancaster, stonemason.—*Thos. Cort*, Chorley, grocer.

INSOLVENT DEBTOR'S DIVIDEND.

John Weston, at Vines's, Newbury, Berkshire: 5*s.* 10*d.* in the pound.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—Sir Joshua Walmsley, Knt., for the borough of Bolton, in the room of John Bowring, Esq., who has accepted the office of her Majesty's Consul General at Canton; Sir Ralph Lopes, Bart., for the county of Devon, (Southern Division), in the room of William Reginald Courtenay, commonly called Lord Courtenay, who has accepted the office of Steward of her Majesty's Chiltern Hundreds; Pryse Pryse, Esq., for the borough of Cardigan, in the room of Pryse Pryse, Esq., deceased.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—Washington Hamilton Brown, Swansea, Glamorganshire; Augustus Cunnington, Braintree, Essex; Robert Evans, Liverpool, Lancashire; William North, Leeds, Yorkshire; James Radford, Newcastle-upon-Tyne, Northumberland.

The Inclosure Commissioners for England and Wales have appointed William Ramshay, Esq., Barrister at Law, an Assistant Commissioner.

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The Jurist

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LONDON, FEBRUARY 24, 1849.

It has been recently held, on more than one occasion, in the case of companies formed for the purpose of making and working railways, and not having proceeded to completion and actual transaction of business, that such companies are not within the Joint-stock Companies Winding-up Act of 1848. We apprehend that a contrary decision will ultimately prevail; and we will shortly state our reasons for that conclusion. The act commences by reciting the 7 & 8 Vict. c. 111, and 9 & 10 Vict. c. 28. The 7 & 8 Vict. c. 111, must be collected to have been intended to apply exclusively to trading companies; but to companies constituted for trading purposes, not merely to companies which have actually traded. The words of the 1st section are, "If any commercial or trading company now, or at any time hereafter, incorporated by charter or act of Parliament; or any company or body of persons now, or at any time hereafter, associated together *for any commercial or trading purposes*, and to which any privilege or privileges &c.; or any company or body of persons now, or at any time hereafter, associated together *for any commercial or trading purposes*, and registered either provisionally or completely &c., shall commit any act" &c.

It is needless to say that the 9 & 10 Vict. c. 28, relates exclusively to railway companies. Then what the Joint-stock Companies Winding-up Act applies to is, among others, all companies within the 7 & 8 Vict. c. 111, including all companies which shall have obtained or shall obtain a certificate of registration, under the 7 & 8 Vict. c. 110—all companies which, under the 9 & 10 Vict. c. 28, have become bankrupt—and, lastly, all companies, associations, and partnerships, to be formed after the passing of the act, whose shares shall be transferable without consent.

As to companies which have been formed since the passing of the act, there can, at least, be no doubt that railway companies are included within it, if only their shares are transferable without consent; neither can there be any doubt as to railway companies which have registered under the 7 & Vict. c. 110; and that railway companies may bring themselves within that act appears by the 9th section. But with regard to railway companies which have not brought themselves within the 7 & 8 Vict. c. 110, the material question is, are they trading companies, or are they, at any rate, within the 7 & 8 Vict. c. 111? Now, by the 8 Vict. c. 20, (the Railway Clauses Consolidation Act), all railway companies, unless their special acts are to the contrary, are empowered to carry goods and passengers for hire—in other words, are empowered to become common carriers; and by the 5 & 6 Vict. c. 122, s. 10, carriers are traders within the meaning of the bankrupt law. Therefore, railway companies, unless by their special acts it is otherwise provided, are by the Legislature constituted traders.

If the 7 & 8 Vict. c. 111, confined the companies that come within it to trading companies, possibly it might be contended, that companies intended for trading, but not having actually begun business, are not trading companies within the meaning of the act; though even then it might be open to contend, that what the act means by a trading company, is a company constituted for trading. But the act does not so limit itself; it includes expressly companies or bodies of persons associated together for *commercial or trading* purposes, if those companies shall have registered either provisionally or completely.

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Now, can there be any doubt, that embryo railway companies are companies or bodies of persons associated for commercial or trading purposes? Unquestionably, they are not bodies associated for purposes of mere amusement, or for mere intellectual, or moral, or charitable purposes. They are bodies of persons associated for making roads of a particular kind—for running on those roads carriages of a particular kind, or drawn by a particular kind of power; but all their arrangements tend to the one purpose, of conveying passengers and goods, and making and receiving certain charges therefrom; that is, of carrying on the commerce or trade of carriers for hire. It is possible, of course, that a company may just have contrived to avoid doing any of the things which would bring it within any of the acts referred to; but we apprehend, that if a railway company has been actually incorporated, and has actually carried for hire; or if it has, without being actually incorporated or without having commenced business, been registered, either provisionally or completely, under the 7 & 8 Vict. c. 110, it is within the 7 & 8 Vict. c. 111; and, being within that act, it is within the Joint-stock Companies Winding-up Act.

Review.

A Letter to Lord Denman, &c., on the Enactments conferring Jurisdiction upon Commissions to try legal Rights, &c. By G. Wingrove Cooke, *Esq., Barrister at Law. Stevens & Norton.* 1849. *Pp.* 16.

Of this pamphlet may be said, as once was said by a judge of a certain text-book, "It is a little book, but it is none the worse for that." Mr. Cooke is, if we recollect right, the author of a work on a political subject, not unmarked by what is termed, in party language, liberalism of sentiment. He is also, and has been for many years, a legal officer under a Whig commission. He will not, therefore, be suspected of any anti-liberal sentiments tending to make him look with distate either on the works or the maxims of law reformers; though, undoubtedly, if any lawyer, but one known as of the law-reform party, had said half the bitter truths—the more bitter because said in the quietest possible manner—that Mr. Cooke has here said of the works and maxims of law reformers, or rather of talkers on law reform, he would be suspected at once of *incivisme*, and declared to be of the "every-thing-as-it-should-be" school. Mr. Cooke is obviously a man of business, and an earnest man, writing what he thinks, on a subject with which he is practically acquainted. This pamphlet is, as he himself describes it, not an attack on a particular act of Parliament, but an attack on that meddling, officious, and dogmatic legislation, which, proceeding on the maxim that technicalities are odious, mistakes looseness for simplicity; and, under the pretence of adapting tribunals to men's special wants, indulges in reality a morbid craving for the excitement of invention. Mr. Cooke's criticisms are more specially directed to defects in the Tithe Act, with the working of which he is minutely acquainted by long practice under it as an Assistant Tithe Commissioner; but the gist of his observations goes to this—that whenever the Legislature, in the exercise of its law reforming tendencies, devises an extensive scheme of law reform, such as that involved in the Tithe Commutation Act, the Enfrachisement of Copyhold intended Acts, the Inclosure Commission, &c., it schemes for each a new machinery, instead of improving the machinery of former acts, preserving as much of the procedure and practice as possible. To use Mr. Cooke's own words:—

"I have shewn that in the two most recent instances 'in which it has been thought necessary to arm a commission with judicial powers, the machinery invented 'for the purpose has been far from perfect. I have 'shewn, also, that, instead of profiting by experience to 'improve upon the first invention, the second essay has 'been altogether different from, and infinitely less work-'manlike than, the first.

"If ever we shall have a compulsory enfranchisement of copyholds, it will probably be found necessary to give the commissioners a jurisdiction to try 'questions of manorial customs, and this jurisdiction 'will probably be thought to require a provision for 'appeal. If the present course of legislation is persisted 'in, a third system of trial by assistant commissioners, 'and appeal by feigned issue, will then be invented, 'and the third invention will, perhaps, be even worse 'than the second. The Tithe Commission has its particular course of trial and appeal; the Inclosure Commission has its peculiar course of trial and appeal; the 'Copyhold Commission will have its peculiar course of 'trial and appeal; and if, as it is not improbable, other 'great reforms shall be resolved upon by our national 'councils, and carried out by commissions, we may, 'perhaps, see half-a-dozen different novel judicatures, 'all trying not very dissimilar classes of private rights, 'but all operating with very dissimilar powers, and each 'having a separate and not very well understood course 'of practice. Your Lordship is too well aware of the 'litigation which invariably follows any considerable 'alteration in the old forms of judicial proceedings, and 'of the expense which suitors must bear in obtaining 'the decisions which eventually consolidate the new 'practice, to render it necessary that I should insist 'upon the practical injustice which these executive 'tribunals must, notwithstanding all the exertions to 'the contrary, produce."

On the subject of what Mr. Cooke correctly terms an ignorant terror of technicalities, he refers to two defects found in practice to exist in the Tithe Commutation Act. He says—

"The first was the great difficulty in ascertaining the 'exact point to be decided. It was early held by the 'Courts that the decision must be in the terms of the 'claim, and it was afterwards held—although, as these 'proceedings commonly took place before the judges at 'chambers, the legal assistants had small opportunity 'of knowing what the actual practice was—that the 'issue must be in the terms of the decision. The claim, 'therefore, made at the commencement of the proceedings was properly the issue afterwards tried. But this 'claim was commonly a loose, inartificial statement, 'altogether insufficient upon the face of it. The assistant commissioner for special purposes had then one of 'four courses to choose: to take the claim as it was 'made; to draw the claim himself; to give the claimant 'leave to put in a formal claim after the case had been 'heard; or to decline to proceed until a good written 'claim had been put in.

"Each of these courses had its inconvenience. To 'decide the insufficient claim was to put the parties 'to all the expense of proceeding to the point of 'settling the issue, and to subject them to be then sent 'back to the commission to make a valid claim and 're-try the case. This occurred more than once in our 'early practice, and in one case the costs of the party, 'who was successful both before the commission and at 'the trial, amounted to 1245*l.* 6*s.* 6*d.*, chiefly because 'his first claim had been badly drawn. If the commissioner undertook to draw the claim, he placed 'himself in a false position; he could not know the 'evidence which was to support the case, and he subjected himself to be afterwards told by the parties that

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'he had made for them a claim which they had never 'intended to put forward. To reserve leave to make a 'formal claim after the case had been concluded was 'not unreasonably objected to by the respondents,—it 'deprived them of all accurate information as to the 'case they had to meet. The last, which was the most 'obvious course, was found scarcely possible in practice. 'It was adopted as far as possible, but it left the com-'missioner at the mercy of every claimant. A man 'who claims an exemption is usually in the present 'enjoyment of it. His interest is to delay all inquiry 'into its validity, and as the commission had no express 'authority to exact a written claim within a limited 'time, or, indeed, to exact a written claim at all, it was 'found in practice that to insist upon valid written 'claims from a dilatory claimant gave him an oppor-'tunity to stop the commutation for an almost inde-'finite period.

"The act was deficient in not prescribing some simple 'form of pleading before the commission.

"Again, although a claim might be bad upon the face 'of it—although it might be to take the sixtieth sheaf 'instead of the tenth, the decision of the commissioner 'must still send the fact, as well as the law, to the 'assizes. If the tithe-owner would admit the imme-'morial usage, a special case might indeed be stated; 'but this, in my experience, has never once happened. 'The consequence has been, that the existence of the 'custom, in fact, had first to be proved upon the feigned 'issue, and that the judge at Nisi Prius, after this per-'haps unnecessary expense had been incurred, reserved 'the point of law for the opinion of the Court in banco.

"A simple form of pleading would have allowed the 'tithe-owner to object to the claim, that it was not good 'in law, and the decision of the assistant commissioner 'upon this demurrer would have gone to the Court at 'once, and the expense would have been inconsiderable.

"It is mortifying to reflect how much good might 'have been effected by so simple a provision. In the 'early career of the commission, all the disputed points 'of tithe law would have been carried up to the courts 'at an expense hardly exceeding that of a tithe meeting 'in the parish. These points would all have received 'authoritative decisions, and the legal assistants would 'have trod confidently and consistently by their light.

"*It is, I fear, a fault of modern legislators to encourage 'an ignorant terror of technicalities.* Because they can-'not distinguish between those that are necessary and 'those that are useless, they abolish all. The same 'men who repeat from Archbishop Whateley, that half 'the disputes of the world arise from bad definitions, 'seem to think it unnecessary that, when two parties 'come before a tribunal, the point in dispute between 'them should be clearly stated."

We have cited enough to shew the views taken by Mr. Cooke on the subject of two principal defects in our law reform legislation, as applied to the carrying into effect alterations in the tenure of property by commission; and we may add, that we thoroughly approve those views, and join Mr. Cooke in the hope that some legislator, of sufficient weight as well as knowledge, will press on the Legislature the subject of consolidating the procedure and practice of commissions, in, at least, all those subjects which involve the same kinds of inquiries, and of not being afraid to apply to the machinery of such commission precision in the forms of proceeding, or what may, in fact, be termed the pleadings, even although such precision should be open, at the hands of the ignorant and wordy, to the imputation of technicality.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Thomas Claye, Gent., of Manchester, to be a Master Extraordinary in the high Court of Chancery.

London Gazettes.

TUESDAY, FEBRUARY 20.

INSOLVENT.

JOHN BAKER, Wollaston, Oldswinford, Worcestershire, victualler.

BANKRUPTS.

THOMAS JOHN COLSON and WILLIAM MANNERS COLSON, Upper Holloway, Friern Barnet, and Betts' Style, near Southgate, Middlesex, brickmakers and farmers, dealers and chapmen, March 1 and April 13 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Field, Finchley.—Fiat dated Feb. 16.

CHARLES SNEEZUM, Woodbridge, Suffolk, grocer and provision merchant, dealer and chapman, March 2 and April 3 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Buchanan, Basinghall-st., London.—Fiat dated Feb. 19.

ROBERT GORING, Brentford, Middlesex, butcher, dealer and chapman, March 2 and April 3 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Smith, Barnard's-inn, Holborn.—Fiat dated Feb. 13.

HENRY HIX ULPH, Forest-gate, West Ham, Essex, cattle salesman, dealer and chapman, March 3 and 30 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Taylor, New Broad-st.—Fiat dated Feb. 17.

EDWARD BURLEY CLAYTON, late of Welbeck-street, Marylebone, but now of Argyle-pl., Regent-st., Middlesex, dentist, dealer and chapman, March 1 at half-past 11, and April 5 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Goren, South Molton-st.—Fiat dated Feb. 19.

JAMES ROBINSON, Slough, Buckinghamshire, grocer and cheesemonger, dealer and chapman, March 2 and 30 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Messrs. Linklater, 1, Charlotte-row, Mansion-house.—Fiat dated March 15.

GEORGE MADDOCK, Burslem, Staffordshire, grocer, March 20 and 27 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Bishop & Twigg, Staffordshire Potteries; Wolston, 8, Furnival's-inn, London.—Fiat dated Feb. 14.

WILLIAM EAST HOLMES, Lichfield, Staffordshire, coach maker, March 13 and April 10 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Spencer & Rollings, Birmingham; Warren, 39, Chancery-lane, London.—Fiat dated Feb. 10.

JOHN DICKINSON HARPER, Derby, woollen draper, dealer and chapman, March 9 and April 13 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Motteram & Co., Birmingham; Teague, 5, Crown-court, Cheapside, London.—Fiat dated Feb. 7.

JOHN MALLETT, Tiverton, Devonshire, grocer and provision dealer, Feb. 28 and March 28 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Forwood, Tiverton; Turner, Exeter; Johnson & Co., Temple, London.—Fiat dated Feb. 16.

ABRAHAM JAMES CROWTHER, Church Garforth, Yorkshire, draper and grocer, dealer and chapman, March 6 and 26 at half-past 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Naylor, Leeds; Sudlow & Co., Chancery-lane, London.—Fiat dated Feb. 16.

HENRY KENWARD, Moreton in Marsh, Gloucestershire, tailor, March 6 and April 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Tilsley, Moreton; Sharp & Co., Bedford-row.—Fiat dated Feb. 13.

JOHN HITCHEN, late of Birkenhead, but now of Beeston, Cheshire, joiner and builder, dealer and chapman, March 2 and April 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Bunting, Manchester; Fletcher & Hull, Liverpool; Bower & Son, Chancery-lane, London.—Fiat dated Feb. 14.

JOSEPH CLEGG, Manchester, licensed victualler, March 13 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Clay & Welsh, Manchester; Gregory & Co., 1, Bedford-row, London.—Fiat dated Feb. 10.

DAVID EVANS the younger, Liverpool, coach builder, wheelwright, and licensed victualler, dealer and chapman, March 1 and 26 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Frodsham, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated Feb. 16.

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MEETINGS.

James Smith, Birkenhead, Cheshire, slate merchant, March 6 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Zebulun Leigh*, Manchester, tea merchant, March 2 at 1, District Court of Bankruptcy, Manchester, last ex.—*John H. Caton*, Stondon Massey, Essex, cattle dealer, March 14 at 11, Court of Bankruptcy, London, aud. ac.—*B. Pallister*, Gravesend, Kent, innkeeper, March 14 at 12, Court of Bankruptcy, London, aud. ac.—*James B. Adams*, Horsmonden, Kent, miller, March 14 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Streeter*, Lisson-grove, Middlesex, draper, March 14 at 12, Court of Bankruptcy, London, aud. ac.—*James Norton*, Johnstone, Renfrewshire, and Smith's-hill, Paisley, Scotland, manufacturer, March 14 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Thos. Saltmarsh*, Houndsditch, London, wine merchant, March 16 at 12, Court of Bankruptcy, London, aud. ac.—*Geo. Evans*, Canon's Marsh, Bristol, carpenter, March 16 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Jas. Turley*, Bradley New Iron-works, Bilston, Staffordshire, iron master, March 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Barker*, Sedgley, Staffordshire, nail manufacturer, March 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*S. B. Lines*, Oldbury, Halesowen, Shropshire, grocer, March 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*W. Walker*, Birmingham, hosier, March 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Perry*, Wolverhampton, Staffordshire, ironfounder, March 15 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Whitehouse* and *Isaiah Round*, Birmingham, manufacturers of wrought iron, March 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Perry*, Birmingham, retail brewer, March 15 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Ranford*, Leamington Priors, Warwickshire, coal merchant, March 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; March 22 at 12, div.—*Hannah Minchew*, Bilston, Staffordshire, widow, grocer, March 15 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*W. Lowe*, Birmingham, plater, March 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*James L. Wilks*, Worcester, tailor, March 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Welch*, Birmingham, victualler, March 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Tubberner*, Birmingham, corn factor, March 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*James Brett*, Spilsby, Lincolnshire, grocer, March 21 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and second and fin. div.—*Thos. Cooper*, York, stock broker, March 16 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*F. Kirkby*, Leeds, Yorkshire, grocer, March 16 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*R. Nickson*, Cefn Maior, Ruabon, Denbighshire, grocer, March 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Croudson*, Wigan, Lancashire, iron merchant, March 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.; March 14 at 12, div.—*Richard Ellerbeck*, Pilkington, Lancashire, cotton spinner, March 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.; March 14 at 12, div.—*J. Berkley*, Newcastle-upon-Tyne, merchant, March 13 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 15 at half-past 10, second and fin. div.—*Jabez Russel* the younger, Whittlesea, Isle of Ely, Cambridgeshire, builder, March 16 at 1, Court of Bankruptcy, London, div.—*Saml. L. Bensusan*, *Jacob L. Bensusan*, and *Joshua Levy Bensusan*, Magdalen-row, Great Prescott-street, Goodman's-fields, Middlesex, merchants, March 13 at 11, Court of Bankruptcy, London, div.—*Wm. Hoole* and *John Lockyer*, St. James's-walk, Clerkenwell, Middlesex, metal tool merchants, March 14 at 12, Court of Bankruptcy, London, div. sep. est. *W. Hoole*.—*T. Ridgway*, Huddersfield, Yorkshire, wool merchant, March 15 at half-past 1, Court of Bankruptcy, London, div.—*Rich. Dutton*, Sambrook-court, Basinghall-street, London, wool broker, March 15 at 2, Court of Bankruptcy, London, div.—*George Hilton*, Hithe, Kent, grocer, March 13 at 1, Court of Bankruptcy, London, div.—*Anne Evans*, Raglan, Monmouthshire, victualler, March 16 at 11, District Court of Bankruptcy, Bristol, div.—*Jas. Philp*, Bristol, wholesale stationer, March 16 at 11, District Court of Bankruptcy, Bristol, div.—*B. Fenwick*, Newcastle-upon-Tyne, linen draper, March 15 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Thomas Dalton*, Darlington, Durham, rope manufacturer, March 15 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*T. Nesbitt* and *Robt. C. Nesbitt*, Sunderland, Durham, brewers, March 15 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*George Cradock*, Darlington, Durham, rope maker, March 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Geo. Atkins*, Liverpool, brewer, March 19 at 11, District Court of Bankruptcy, Liverpool, div.—*James Coop*, Radcliffe, Lancashire, timber merchant, March 14 at 12, District Court of Bankruptcy, Manchester, div.—*W. Ellam* the younger, Birmingham, patent cock founder, March 14 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Thomas Lay*, Dudley, Worcestershire, grocer, March 14 at 12, District Court of Bankruptcy, Birmingham, div.—*John Wainwright*, Digbeth, Birmingham, draper, March 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Abbott and *Wm. Abbott* the younger, Bermondsey-street, Southwark, Surrey, patent hair felt manufacturers, March 16 at half-past 11, Court of Bankruptcy, London.—*George Thomas Saltmarsh*, Houndsditch, London, wine merchant, March 16 at 12, Court of Bankruptcy, London.—*C. Story* the younger, High-street, Bow, and High-street, Poplar, Middlesex, hatter, March 16 at 11, Court of Bankruptcy, London.—*J. T. Bourne*, Dilhorn, Staffordshire, earthenware dealer, March 20 at 11, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 13.

Gabriel Benda, Camomile-street, London, importer of foreign goods.—*Wm. Wood*, Waddington, Lincolnshire, licensed victualler.—*Abraham Butterfield*, Hitchin, Hertfordshire, builder.—*Wm. Evans*, Sheffield, Yorkshire, knife manufacturer.—*S. C. Aaron*, Brighton, Sussex, auctioneer.—*Henry Searle*, Oxford, tailor.—*Josias Thomas Harrison*, Hayden-street, Minories, Middlesex, cooper.—*Edward Gooch Hose*, Liverpool, licensed victualler.

FIAT ANNULLED.

George Braund the younger, Exeter, land surveyor.

SCOTCH SEQUESTRATIONS.

John Lyell, Aberdeen, ironmonger.—*Peter Brown*, Edinburgh, printer.—*Thomas Gray*, Glasgow, surgeon.—*John Cameron*, Dingwall, printer.—*J. Pattison*, Edinburgh, writer to the signet.—*David* and *Jessie Hannah*, Irvine, Ayrshire, merchants.—*J. Pearce*, Edinburgh, dealer in railway shares.

DECLARATION OF INSOLVENCY.

Charles Nash, Hereford, bookseller, March 15 at 10, County Court of Herefordshire, at Hereford.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Sargeant, Barrow-upon-Humber, Lincolnshire, out of business, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Henry Slater*, Balsall-heath, King's Norton, Worcestershire, out of business, Feb. 26 at 2, County Court of Warwickshire, at Birmingham.—*Jas. Philip Mann*, Hockley, Birmingham, merchant's clerk, Feb. 26 at 2, County Court of Warwickshire, at Birmingham.—*Richard Deakin*, Birmingham, baker, Feb. 26 at 2, County Court of Warwickshire, at Birmingham.—*John Westwood*, Brampton, Huntingdonshire, dissenting minister, March 27 at 2, County Court of Huntingdonshire, at Huntingdon.—*Wm. J. Bennison*, Kingston-upon-Hull, out of business, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Thos. Gibson*, Kingston-upon-Hull, auctioneer, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Wm. Wilkinson*, Kingston-upon-Hull, furniture broker, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Batty*, Kingston-upon-Hull, superintendent of public baths, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Benj. Russell*, Kingston-upon-Hull, grocer, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*James Wm. Bogie* the younger, Woodchurch, Cheshire, Feb. 26 at 10, Liverpool District County Court, at

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Liverpool. — *Thomas Webb Gilson*, Kingston-upon-Hull, butcher, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Hen. Ibbotson*, Sheffield, brace bit manufacturer, March 1 at 10, County Court of Yorkshire, at Sheffield.—*John Russell*, Sheffield, Yorkshire, watch maker, March 1 at 10, County Court of Yorkshire, at Sheffield.—*J. Hague*, Sheffield, Yorkshire, brush manufacturer, March 1 at 10, County Court of Yorkshire, at Sheffield.—*John Bishop*, Birmingham, beer retailer, Feb. 26 at 2, County Court of Warwickshire, at Birmingham.—*Henry Clark*, Holbeach, Lincolnshire, bricklayer, March 8 at 1, County Court of Lincolnshire, at Holbeach.—*John Howard*, Gainsborough, Lincolnshire, hair dresser, March 19 at 11, County Court of Lincolnshire, at Gainsborough.—*D. Mounsey*, Birmingham, commission agent, Feb. 26 at 2, County Court of Warwickshire, at Birmingham.—*Thos. Cropper*, Linton, near Overseal, Derbyshire, railway sub-contractor, March 5 at 11, County Court of Staffordshire, at Burton-upon-Trent.—*Jas. Edmund Currey*, Newchurch, Isle of Wight, Hampshire, doctor of medicine, Feb. 26 at 10, County Court of Hampshire, at Newport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 6 *at* 11, *before the* CHIEF COMMISSIONER.

Charles Osborne, Salisbury-st., Portman-market, Middlesex, grocer.

March 6 *at* 11, *before Mr. Commissioner* HARRIS.

John Green, Charlotte-st., New Charlton, Woolwich, Kent, grocer.— *Wm. Lumley Sanders*, Fulham-road, Brompton, Middlesex, oilman.—*George Crane*, Ladbrook-mews, Weller-st., Notting-hill, Middlesex, greengrocer.—*Stephen Prideaux*, Cottage-lane, Commercial-road East, Middlesex, butcher.

March 6 *at* 10, *before Mr. Commissioner* LAW.

Chas. J. Fearnley, Greyhound-place, Old Kent-road, Surrey, out of business.—*Fred. Williams*, Essex-st., Kingsland-road, Middlesex, out of business.—*Robert Jones*, Castle-st., Holborn, clerk to an attorney.

March 8 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. Roberts, Shepperton-terrace, New North-road, Islington, Middlesex, out of business.—*Ed. Worall*, New North-st., Red Lion-square, Middlesex, town traveller.—*Hen. Herrick*, Clarendon-terrace, Camberwell New-road, Surrey, officer of her Majesty's Palace Court.

March 8 *at* 10, *before Mr. Commissioner* LAW.

James Buckley Brown, Cottage-row, Bermondsey, Surrey, carpenter.

March 8 *at* 11, *before Mr. Commissioner* PHILLIPS.

Wm. Parnell Tyars, Stamford-terrace, Old Kent-road, Surrey, out of business.—*Jas. Wm. Geo. French*, White-house-st., Stepney, Middlesex, baker.—*Edwin Eyles*, Camden-st., Notting-hill, Middlesex, furrier's assistant.

Saturday, Feb. 17.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

J. Jones, Belgrave-pl., Eaton-sq., Pimlico, Middlesex, attorney at law, No. 60,157 T.; John Dawson, assignee.—*Henry Moses*, Bury-st., St. Mary Axe, London, wholesale druggist, No. 60,407 T.; Thomas Pelling Slee, assignee.—*Chas. Westlake*, Newport-court, Newport-market, Middlesex, butcher, No. 60,412 T.; John Bury, assignee.—*W. Brown*, Holbeck, near Leeds, Yorkshire, blacksmith, No. 70,515 C.; Christopher Thwaites, assignee.—*Jas. Hagley*, Halifax, Yorkshire, tea dealer, No. 70,553 C.; John Hynam, assignee.—*Thomas Morgan*, Newport, Monmouthshire, carpenter, No. 64,828 C.; Thomas Watkins, assignee.

Saturday, Feb. 17.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Robert Jarman, King's-row and Trevor-square, Knightsbridge, Middlesex, paper hanger: in the Debtors Prison for London and Middlesex.—*Wm. Baldwin*, Alfred-place, Harrow-road, Middlesex, smith: in the Debtors Prison for London and Middlesex.—*Hen. Asher Davis*, John-st., Chicksand-st., Whitechapel, Middlesex, lamp cotton dealer: in the Debtors Prison for London and Middlesex.—*Geo. Loader*, Stephen-st., Tottenham-court-road, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*W. J. Kelly*, Murray-st., New North-road, Shoreditch, Middlesex, smith: in the Debtors Prison for London and Middlesex.—*Wm. Burgess*, Church-place, Kensall-green, St. Luke, Chelsea, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Wm. Grant Gore*, Margate, Kent, shipwright: in the Debtors Prison for London and Middlesex.—*Wm. Ray*, Bloomsbury-market, Middlesex, coal merchant: in the Queen's Prison.—*John Railton*, Mark-lane, London, ship broker: in the Debtors Prison for London and Middlesex.—*Thomas Dobby*, Robert-street, Bedford-row, Middlesex, cabriolet driver: in the Debtors Prison for London and Middlesex.—*Wm. Pascoe*, Riding-house-lane, Marylebone, Middlesex, greengrocer: in the Queen's Prison.—*James Graham*, Brunswick-street, Brunswick-square, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Wm. Astins*, Queen-street, Hoxton, Middlesex, copper plate engraver: in the Debtors Prison for London and Middlesex.—*Thomas Wenham*, John-street, Great Suffolk-st., Southwark, Surrey, gentleman: in the Queen's Prison.—*Thos. Hickson*, South-row, New-road, St. Pancras, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*William Lambert*, Gloucester-place, Camden-town, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*George Booth*, Bradford, Yorkshire, shopkeeper: in the Gaol of York.—*James Harrington*, Brightlingsea, Essex, servant: in the Gaol of Springfield.—*John Jackson*, Middlesborough, Yorkshire, shoemaker: in the Gaol of York.—*Leopold Anton V. Rudolphi*, Sunderland, Durham, general merchant: in the Gaol of Durham.—*Thomas Thompson*, Greenheys, Manchester, manufacturer and agent: in the Gaol of Lancaster.—*W. Trewhitt*, Bishopwearmouth, Durham, grocer: in the Gaol of Durham.—*John Robson*, Hanwick, near Bishop Auckland, Durham, mason: in the Gaol of Durham.—*Wm. C. Spencer*, Bishopwearmouth, Durham, hay dealer: in the Gaol of Durham.—*John Wear*, Seaham Harbour, Durham, marine store dealer: in the Gaol of Durham.—*James Pitman*, Weston Zoyland, near Bridgewater, Somersetshire, farmer: in the Gaol of Wilton.—*Thos. Pullan*, Leeds, Yorkshire, plumber: in the Gaol of York.—*John Merelie*, Sunderland, Durham, auctioneer: in the Gaol of Durham.—*Alfred Bourne*, Ashford, Kent, corn dealer: in the Gaol of Maidstone.—*Robert Gold*, Warwick, tailor: in the Gaol of Warwick.—*Edw. H. Powell*, Knaresborough, Yorkshire, attorney at law: in the Gaol of York.—*Nathaniel Cook*, Easton-road, Gloucestershire, out of business: in the Gaol of Bristol.—*Griffith Davies*, Llanstephan, Carmarthenshire, victualler: in the Gaol of Carmarthen.—*Robert Bromley*, Preston, Lancashire, out of business: in the Gaol of Lancaster.—*George Cunliffe*, Middleton, Lancashire, provision dealer: in the Gaol of Lancaster.—*Ruth M. Dawson*, widow, Manchester, out of business: in the Gaol of Lancaster.—*Robert Devereux*, Welland, Worcestershire, shopkeeper: in the Gaol of Worcester.—*John Luming*, Lancaster, stone mason: in the Gaol of Lancaster.—*Wm. Owston*, Hulme, Manchester, bookkeeper: in the Gaol of Lancaster.—*Jas. Shuttleworth*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*Robert Howe*, Manchester, fish dealer: in the Gaol of Lancaster.—*James Atkinson*, Leeds, Yorkshire, out of business: in the Gaol of York.—*John Atkinson*, Leeds, Yorkshire: in the Gaol of York.—*Thos. Cort*, Chorley, Lancashire, provision dealer: in the Gaol of Lancaster.—*Gabriel Dunn*, Dudley, Worcestershire, pensioner: in the Gaol of Worcester.—*Charles Springett*, Linton, near Maidstone, Kent, farmer: in the Gaol of Maidstone.—*James Vero*, Burbridge, Leicestershire, labourer: in the Gaol of Coventry.—*Rob. White*, Oldham, Lancashire, cabinet maker: in the Gaol of Lancaster.—*John C. R. Wequelin*, Shaldon and Stokeinteignhead, Devonshire, farmer: in the Gaol of Exeter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 6 *at* 10, *before Mr. Commissioner* LAW.

Joseph Fundell, Red Lion-st., Holborn, Middlesex, baker.

March 7 *at* 10, *before Mr. Commissioner* LAW.

Isaac Manvell, Park-terrace, Well-street, Hackney, Middlesex, out of business.—*George Huggins*, Hill-road, Abbey-road, St. John's-wood, Middlesex, nurseryman.

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March 8 *at* 10, *before Mr. Commissioner* LAW.

Samuel Swan Jeppe, Chalcroft-terrace, New-cut, Lambeth, Surrey, furniture dealer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, *March* 19 *at* 10.

Wm. Smith, Kingston-upon-Hull, out of business.—*John Dobson* the younger, Kingston-upon-Hull, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, *March* 12.

Thomas Wood, Cheltenham, appraiser.

At the County Court of Worcestershire, at WORCESTER, *March* 14.

Robert Devereux, Welland, shopkeeper.—*Gabriel Dunn*, Dudley, out of business.

At the County Court of Kent, at MAIDSTONE, *March* 6 *at* 12.

Charles Springett, Linton, out of business.

At the County Court of Durham, at DURHAM, *March* 9.

Anthony Blanchard, Seaham-harbour, miller.—*John Sanderson*, South Shields, builder.—*James Watson*, Stockton-upon-Tees, plumber.—*J. W. Hogg*, South Shields, fruiterer.—*L. A. V. Rudolphi*, Sunderland-near-the-sea, out of business.—*Wm. Colledge*, South Shields, master mariner.—*Wm. Trewhitt*, Bishopwearmouth, out of business.—*John Wear*, Seaham-harbour, ship owner.—*John Merelie*, Sunderland, auctioneer.—*Wm. C. Spencer*, Sunderland, hay dealer.—*John Robson*, Hunwick, near Bishop Auckland, mason.

At the County Court of Cumberland, at CARLISLE, *Feb.* 27 *at* 10.

Edward Nicholson, Wreay, joiner.

At the County Court of Brecknockshire, at BRECKNOCK, *March* 8 *at* 10.

Wm. Asbury, Buckland, Llanssaintfread, coachman.

FRIDAY, FEBRUARY 23.

BANKRUPTS.

ALFRED WESTLEY, Holme-mills, Southill and Biggleswade, Bedfordshire, miller, March 6 at 12, and April 13 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Vallance, 9, Old Jewry-chambers, Old Jewry.—Fiat dated Feb. 21.

RICHARD WEBSTER and RICHARD WEBSTER the younger, Cornhill, London, chronometer makers and watch and clock manufacturers, March 7 at 12, and April 3 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Bolding & Poper, Scot's-yard, Bush-lane, Cannon-st.—Fiat dated Feb. 20.

BENJAMIN BARROTTE, North Walsham, Norfolk, innkeeper, March 5 at 1, and April 16 at half-past 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Taylor, Norwich; White & Co., 35, Lincoln's-inn-fields.—Fiat dated Feb. 9.

RICHARD CLARKE, Aldersgate-st., London, woollen dyer, dealer and chapman, (carrying on business under the style or firm of Clarke & Co.), March 1 at 12, and April 9 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Crosby & Compton, Church-court, Old Jewry.—Fiat dated Feb. 20.

JANE DAVIS, Walton-on-Thames, Surrey, builder, March 1 and April 5 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Farrar, Doctors-commons.—Fiat dated Feb. 9.

JOHN CHATTERTON the younger, Derby, lead merchant, dealer and chapman, March 9 and April 13 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Haywood & Webb, Birmingham.—Fiat dated Feb. 19.

WILLIAM MILES, Worcester, stock and share broker, dealer and chapman, March 8 and April 19 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Daniel, Worcester; Edwards, 14, Clement's-inn, London.—Fiat dated Feb. 17.

BENJAMIN LOWE, Hill-top, Westbromwich, Staffordshire, miner, provision dealer, dealer and chapman, March 7 and April 10 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Duignan & Hemmant, Walsall.—Fiat dated Feb. 19.

JOSEPH BUSST, Walsall, Staffordshire, timber merchant, dealer and chapman, March 3 at 12, and April 10 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Hodgson, Birmingham; Venning & Co., 9, Tokenhouse-yard, Lothbury, London.—Fiat dated Dec. 23.

JOSEPH IVEY BAKER and WILLIAM BENNETT BAKER, Wolverhampton, Staffordshire, iron dealers, March 10 and April 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Robinson, Wolverhampton.—Fiat dated Feb. 16.

JOHN STADDON, Holsworthy, Devonshire, grocer and dealer in earthenware, dealer and chapman, March 6 and 27 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Stogdon, Exeter; Baker & Co., Lime-street, London.—Fiat dated Feb. 20.

EDWARD DAVIS, Marnhull, Dorsetshire, cattle dealer and farmer, March 7 and 28 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Slade & Vining, Yeovil; Terrell, Exeter; Cragg & Jeyes, 22, Bedford-row, London.—Fiat dated Feb. 14.

WILLIAM SCOTT, Exeter, ironmonger and tinman, March 8 and 29 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Turner, Exeter; Spyer, Broad-street-buildings, London.—Fiat dated Feb. 20.

HENRY FENWICK, Liverpool, banker, dealer and chapman, March 2 and April 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Duncan & Radcliffe, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated Feb. 6.

JOHN KRAUSS, Manchester, agent, dealer and chapman, March 8 and 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Potter, Manchester; Johnson & Co., Temple, London.—Fiat dated Feb. 16.

MEETINGS.

Joseph Hughesdon and *Alexander Mackay*, Chunderagore, East Indies, merchants, March 6 at 11, Court of Bankruptcy, London, last ex.—*Chas. Howard*, Kingston, Surrey, and Great Tower-st., London, wine merchant, March 9 at 12, Court of Bankruptcy, London, last ex.—*John Henry Caton*, Stondon Massey, Essex, cattle dealer, March 6 at 11, Court of Bankruptcy, London, sp. aff.—*John Forster*, Shafto, Hartburn, Northumberland, banker, March 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thomas Samuel Sharland*, Frome Selwood, Somersetshire, linen draper, March 6 at 11, District Court of Bankruptcy, Bristol, sp. aff.—*Reb. Hebblethwaite* and *James Hirst*, Halifax, Yorkshire, dyers, March 5 at 11, District Court of Bankruptcy, Leeds, sp. aff.—*John Wentworth Elger*, Cambridge, baker, March 19 at 1, Court of Bankruptcy, London, aud. ac.—*John Binns*, Newland-place, Kensington, and Acton, Middlesex, linen draper, March 19 at 11, Court of Bankruptcy, London, aud. ac.—*David Frazer*, Little Tower-st., London, ship owner, March 17 at 11, Court of Bankruptcy, London, aud. ac.—*J. Vallis* the elder, Sparkford, Somersetshire, cheese dealer, March 16 at 11, District Court of Bankruptcy, Bristol, aud. ac.; March 20 at 11, div.—*Thomas Read*, Manchester, cigar dealer, March 15 at 11, District Court of Bankruptcy, Manchester, aud. ac.; March 16 at 11, div.—*John Taylor*, Hollinwood, near Oldham, and Manchester, rope manufacturer, March 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Charles Samson*, Chorlton-upon-Medlock, Lancashire, brewer, March 16 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Charles Mason*, Manchester, and Longsight, Lancashire, paper manufacturer, March 16 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Joseph R. Simpson*, Sheffield, Yorkshire, spring knife manufacturer, March 17 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Wm. Linley*, Conisbrough, Yorkshire, scythe manufacturer, March 17 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*A. Wise*, Wolborough, *Nicholas Baker*, Newton Bushel, Highwick, and *Wm. S. Bentall*, Totnes, Devonshire, bankers, March 28 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Gilbert Currie*, Church-row, Upper-street, Islington, Middlesex, and St. Swithin's-lane, Lombard-street, London, oil warehouseman, March 22 at half-past 11, Court of Bankruptcy, London, div.—*John Peterson*, Mount-street, Lambeth, Surrey, shoemaker, March 19 at 12, Court of Bankruptcy, London, div.—*Fred. Peake* and *John Jillings*, Hexton, Devonshire, drapers, March 19 at half-past 1, Court of Bankruptcy, London, div. sep. est. of *J. Jillings*.—*Jacob Mon-*

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tefiore and *Jos. B. Montefiore*, Nicholas-lane, London, merchants, March 17 at 11, Court of Bankruptcy, London, fin. div. sep. est. of *J. B. Montefiore*.—*James Wiggins*, Holborn, Middlesex, woollen draper, March 17 at 12, Court of Bankruptcy, London, fin. div.—*George Streeter*, Lisson-grove, Middlesex, draper, March 22 at 1, Court of Bankruptcy, London, div.—*George Evans*, Bristol, carpenter, March 20 at 11, District Court of Bankruptcy, Bristol, div.—*D. Moncrieff*, Catherine-street, Strand, Middlesex, victualler, March 16 at 12, Court of Bankruptcy, London, div.—*Richard Dawson*, Thorney, Isle of Ely, Cambridgeshire, grocer, March 19 at 11, Court of Bankruptcy, London, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Francis Thompkins, Sydney-street, Fulham-road, Middlesex, bill broker, March 16 at half-past 12, Court of Bankruptcy, London.—*M. Gaunt*, Bradford, Yorkshire, grocer, March 20 at 11, District Court of Bankruptcy, Leeds.—*John Harvey*, Weston-super-Mare, Somersetshire, builder, March 16 at 11, District Court of Bankruptcy, Bristol.—*Edward Taylor*, Perthyre Mill, Rockfield, Monmouthshire, miller, March 20 at 11, District Court of Bankruptcy, Bristol.—*H. Cook*, Studley, Warwickshire, needle manufacturer, March 22 at 12, District Court of Bankruptcy, Birmingham.—*Joseph Jackson* the younger, Shelfield, Walsall, Staffordshire, miller, March 20 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 16.

Wm. Wall, Bridenbury, Herefordshire, cattle dealer.—*J. Spence*, Queen-street, Charles-square, Hoxton, Middlesex, dealer in china.—*William Stephens*, Leigh, Worcestershire, blacksmith.—*Wm. Walker*, London-wall, London, and Regent-street, City-road, Middlesex, paper stainer.—*William S. Martin*, Brighton, Sussex, brush maker.—*Thomas Ward*, Smethwick, Staffordshire, railway pin manufacturer.—*James Thomas*, Newport, Monmouthshire, apothecary.—*John Borer*, Exmouth-street, Clerkenwell, Middlesex, grocer.—*William Sugden*, Thomas-place, Gravel-lane, Southwark, Surrey, stonemason.—*Samuel Newton*, Burnley, Lancashire, porter dealer.—*George Greenstock*, Weston-super-Mare, Somersetshire, ironmonger.—*C. E. Pearse*, Bodmin, Cornwall, grocer.—*Alfred Binyon*, Tavistock-street, Covent-garden, Middlesex, music seller.—*John Lord*, Cramshaw Booth, Lancashire, cotton manufacturer.—*Fred. Clark*, Baker-st., Portman-sq., Middlesex, auctioneer.—*C. T. Chapman*, Cambridge, livery-stable keeper.—*Fred. Elphick*, Castle-street East, Oxford-market, Middlesex, glass cutter.

PARTNERSHIP DISSOLVED.

Robert Watson, *Francis Broughton*, and *Francis Broughton* the younger, Falcon-square, London, attornies at law and solicitors.

SCOTCH SEQUESTRATIONS.

Margaret H. Somerville, Glasgow, lodging-house keeper.—*Jeremiah M'Lachlan*, Airdrie, sheriff officer.—*Wm. Stewart*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Chas. Cooke, Leicester, watch repairer, March 15 at 10, County Court of Leicestershire, at Leicester.—*Rob. Quirk*, Higher Tranmere, Tranmere, Bebbington, Cheshire, out of business, March 2 at 10, County Court of Cheshire, at Birkenhead.—*Rob. Dean*, Wallasey, Cheshire, beer retailer, March 2 at 10, County Court of Cheshire, at Birkenhead.—*Henry Chancellor*, Great Yarmouth, Norfolk, grocer, March 7 at 10, County Court of Norfolk, at Great Yarmouth.—*Thos. Meek*, Gorlestone, Suffolk, fish merchant, March 7 at 10, County Court of Norfolk, at Great Yarmouth.—*W. Bennett* the elder, Wrotham-common, Wrotham, Kent, farmer, March 21 at 10, County Court of Kent, at Sevenoaks.—*John Jackson Hughes*, Morice Town, Devonport, Devonshire, veterinary surgeon, March 15 at 11, County Court of Devonshire, at Plymouth.—*E. Davies*, Shrewsbury, Shropshire, out of employ, March 13 at 10, County Court of Shropshire, at Shrewsbury.—*J. Webster*, Leighton Buzzard, Bedfordshire, shoemaker, March 7 at half-past 9, County Court of Bedfordshire, at Leighton Buzzard.—*Josiah Hall*, Whitwick, Leicestershire, butcher, March 13 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*James Copley*, Ashton-under-Lyne, Lancashire, shopkeeper, March 1 at 10, County Court of Lancashire, at Ashton-under-Lyne.—*Thomas Hodges*, Flax Bourton, Somersetshire, blacksmith, March 21 at 11, County Court of Gloucestershire, at Bristol.—*John Vosper*, Devonport, Devonshire, waiter, March 15 at 11, County Court of Devonshire, at Plymouth.—*Jane Cheek*, Bristol, milliner, March 14 at 11, County Court of Gloucestershire, at Bristol.—*Edward Orchard*, March 8 at 10, County Court of Shropshire, at Bridgnorth.—*William Nicholas*, March 8 at 10, County Court of Shropshire, at Bridgnorth.—*Jon. Hannath*, Kingston-upon-Hull, butcher, March 21 at 10, County Court of Lincolnshire, at Caistor.—*John Stevenson*, Chester, millwright, March 5 at 10, County Court of Cheshire, at Chester.—*Alex. Litchfield*, Hertford, out of business, Feb. 28 at half-past 10, County Court of Hertfordshire, at Saint Alban's.—*Richard Reeves*, Abingdon, coach maker, March 10 at half-past 10, County Court of Berkshire, at Abingdon.—*Rev. H. Robinson*, Didcot, Berkshire, clerk, March 8 at half-past 10, County Court of Berkshire, at Wallingford.—*Geo. Sawtell*, Somerton, Somersetshire, saddler, March 19 at 11, County Court of Somersetshire, at Langport.—*John George P. Chatterton*, Brighton, Sussex, tutor, March 2 at 2, County Court of Sussex, at Brighton.—*Charles Jenkinson*, Caistor, Lincolnshire, horse dealer, March 21 at 10, County Court of Lincolnshire, at Caistor.—*Samuel Smith*, Bitton, Oldland, Glouecestershire, mason, March 14 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 12 *at* 11, *before Mr. Commissioner* PHILLIPS.

Noah Smith, St. George's-place, Commercial-road East, Middlesex, coal merchant.—*George Trigg*, Newdegate, near Dorking, Surrey, farmer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 9 *at* 11, *before Mr. Commissioner* HARRIS.

Chas. S. Willis, Jermyn-st., St. James's, Middlesex, hair dresser.—*Thos. Wenham*, John-st., Great Suffolk-st., Southwark, Surrey, gentleman.

March 10 *at* 11, *before Mr. Commissioner* PHILLIPS.

Thos. Sillibourne, Hampton-terrace, Camden-town, Middlesex, coal merchant.—*T. Cox*, Westbourne-place, Bishop's-road, Paddington, Middlesex, carpenter.—*James Graham*, Brunswick-st., Cromer-st., Brunswick-sq., Middlesex, baker.

March 12 *at* 11, *before the* CHIEF COMMISSIONER.

L. O. B. Vaudeau, Phœnix-wharf, Battersea, Surrey, refiner of oil.—*Daniel Gladden*, Artillery-passage, Spitalfields, Middlesex, greengrocer.—*William Ray*, Bloomsbury-market, Middlesex, coal merchant.

March 12 *at* 11, *before Mr. Commissioner* HARRIS.

John T. Brigg, Lamb's-passage, Chiswell-st., Saint Luke's, Middlesex, carpenter.—*Edwin J. Kempster*, Grosvenor-wharf, Addington-square, Camberwell, Surrey, coal merchant.—*W. Pascoe*, Riding-house-lane, Marylebone, Middlesex, greengrocer.—*John Railton*, Mark-lane, London, ship broker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Shropshire, at SHREWSBURY, *March* 13 *at* 10.

Richard Linell, Emstrey, Atcham, commercial traveller.

At the County Court of Gloucestershire, at GLOUCESTER, *March* 12.

Wm. Baldwin, Ruardean, gamekeeper.

At the County Court of Monmouthshire, at MONMOUTH, *March* 16.

John Brookman, Chepstow, rope maker.

At the County Court of Kent, at CANTERBURY, *March* 14.

Wm. Wilmshurst, Canterbury, baker.

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At the County Court of Berkshire, at READING, *March* 12.

Francis Brangwing, Beenham, near Reading, out of business.

MEETING.

Henry Wilson, Grove-lane, Camberwell, Surrey, grocer, March 9 at 11, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.

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The Jurist

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LONDON, MARCH 3, 1849.

In a very recent case (*Skarff* v. *Soulby*, 13 Jur. 89) the question of the extent to which a man must be indebted in order to make a voluntary settlement void against creditors, was discussed; and it is to be gathered, that, in the opinion of the Court, it is not necessary to shew that a party is indebted to the extent of insolvency—it is enough to prove that he was indebted. The cases on this subject are not very precise in their language; perhaps it would be difficult judicially to lay down any precise rule: but a principle may be collected from them, and we shall endeavour to shew what that principle is.

In *Townsend* v. *Westacott* (2 Beav. 340) it was contended on the one side, that, if a man is indebted at all when he makes a voluntary settlement, the deed is bad against creditors; this principle the Court wholly repudiated. It was contended on the other side, that a party must be shewn to have been indebted to the extent of actual insolvency; and this principle the Court also repudiated, but the Court did not lay down any positive rule. The facts were, that the settlor was, at the time of making the settlement, *largely* indebted, and in less than three years afterwards he became insolvent, and there was no satisfactory evidence as to what was the actual state of his property at the time of the settlement. No decree, except a mere decree for inquiries, was made, because the existence of the settlor's debts was not sufficiently put in issue. In *Richardson* v. *Smallwood* (Jac. 552) it was held, that it is not necessary to prove the party actually insolvent. The decision was not, on the other hand, put on the ground that it is sufficient to shew he was simply indebted, but on this—that it is to be collected from the circumstances, whether the party made the deed to hinder and delay his creditors. In that case it was proved, that the settlor was indebted, not to the extent of actual insolvency, but, as it is termed in the judgment, he was distressed at the time, and no motive could be shewn for the deed, but the apprehension that, in default of it, his property would go to his creditors. The statute, (13 Eliz. c. 5), it will be recollected, does not speak at all of the grantor being indebted or not, but avoids fraudulent deeds, which have been made of malice, &c., or to the end, purpose, and intent to delay, hinder, or defraud creditors or others of their just and lawful actions, &c. The question, therefore, indebted or not, and to what extent indebted, is material only as evidence of the intention with which the deed was made. The language of Lord Hardwicke, in *Townshend* v. *Windham*, (2 Ves. sen. 1), certainly would go the length of taking the mere fact of being indebted at the time, as the test of the deed being good or not. "I know no case," he says, "on the 13 Eliz., where a man, indebted at the time, makes a mere voluntary conveyance to a child without consideration, and dies indebted, but that it shall be considered as part of his estate for the benefit of his creditors." But then his Lordship explains, in a subsequent passage, what he means, when he says, "A man actually indebted, and conveying voluntarily, always means to be in fraud of creditors, as I take it." So that Lord Hardwicke looks at the fact of being indebted as the evidence that the deed was made with intent to hinder. Now, Lord Hardwicke could not have meant to say, that, if a man possessed of an estate worth 20,000*l.*, owes 5000*l.*, and then settles voluntarily 5000*l.*, leaving 10,000*l.* clear, his being indebted in 5000*l.*, and having 15,000*l.* to pay it with, is evidence of the settlement being with

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an intent to hinder creditors. His Lordship must have meant by indebted, indebted to that extent, that, in the language of *Richardson* v. *Smallwood*, a state of distress, or that state of circumstances, exists, in which a man must be supposed not to denude himself of property without incurring visible risk of hindering creditors, if his deed should stand good. If that were not so, it would be scarcely possible for a man, in any state of circumstances, ever to make a valid voluntary settlement; for, as observed by Lord Langdale, in *Townsend* v. *Westacott*, (2 Beav. 344), "There is scarcely a man who can avoid being indebted to some amount. He may intend to pay every debt as soon as it is contracted, and constantly use his best endeavours, and have ample means to do so, and yet may be frequently, if not always, indebted in some small sum." In all the cases, we believe, before *Skarff* v. *Soulby*, in which a voluntary settlement has been set aside, the settlor has been *considerably* indebted—indebted to that extent, that great doubt of his actual or continuing solvency must have been imputed to him; and the doctrine, that being merely *indebted* will avoid a deed, is rather the result of dictum than of decision. In *Richardson* v. *Smallwood* there had been a continuing state of debt for a long time. So, in *Whittington* v. *Jennings* (6 Sim. 493); and in *Lord Townshend* v. *Windham*, it must be collected that the settlor was largely indebted, and it does not appear that he had any considerable means of providing for his debts, except the very estate conveyed. The doctrine laid down in *Kidney* v. *Coussmaker*, (12 Ves. 136), that a voluntary settlement is only void as against creditors who were creditors at the time, qualified as it has been by subsequent cases, to this extent, that the deed can only be set aside at the instance of persons who were creditors at the time, (see *Ede* v. *Knowles*, 2 You. & C. 178), supports the view that we are taking, that what the Court looks for is proof that the settlor was so indebted, that an inference arises in favour of his having settled his property with a view to delay creditors—an inference which justly arises, where it is found that, in fact, the debts which existed at the time of the settlement have not been paid since, but which does not justly arise if the debts which then existed have been paid in due course. We conceive, on the whole, that the true principle to be collected from the cases is this—that, in order to set aside a voluntary settlement under the 13 Eliz., it must be shewn that the settlor was at the time in such circumstances that inability to pay his debts was actually existent, or reasonably to be apprehended by him, so that a presumption arises that the settlement was made with intent to hinder creditors; that indebted or not indebted, and the extent to which the settlor was indebted, are merely evidence from which the Court will conclude that such a presumption arises; and that a trifling debt, due at the time of the settlement, and remaining unpaid, if it were shewn that at the time of the settlement the settlor was abundantly solvent, would not be sufficient to set aside the deed.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—William Foard Tribe, of Worthing, Sussex; Thomas Ames Hill, of Paulton, Somersetshire; Arthur Parsons, of Nottingham.

PRESENT STATE OF THE LAW OF JOINT-STOCK COMPANIES, COMPLETELY REGISTERED UNDER THE STATUTE 7 & 8 VICT. c. 110.

Until lately it was supposed, that, since as before the passing of the Joint-stock Companies Registration Act, (7 & 8 Vict. c. 110), all companies, whatever might be the number of the members or partners, and of whatever nature or extent might be the object undertaken, which were not incorporated by act of Parliament or by royal charter, or privileged by letters-patent, (under 1 Vict. c. 73), were in law, as regarded the mode in which they should incur liabilities to the public, and the extent to which the funds of the individual members (within certain limits, relating to the direction of such liabilities) should be affected, not materially different from ordinary partnerships, consisting of two or three partners, and undertaken for private purposes. It now appears, however, from some recent decisions, that a company, completely registered under the 7 & 8 Vict. c. 110, may, by its agent, acting in the most regular way of ordinary business, incur the heaviest liabilities, and yet, provided they can shew that the acts of their agent, who has been so acting for them in the face of the world, are not in strict conformity with the authority given by their deed of settlement, may be able to set up that act as a defence against being compelled to meet them.

In the cases of *Ridley* v. *The Plymouth Grinding Company*, and *The King's Bridge Flour-mill Company* v. *The Same*, (12 Jur. 542, 545), in the Court of Exchequer, at the Sittings in Banc after Trinity Term, 1848, it was, among other points of importance, decided, that in an action against a joint-stock company, completely registered under the stat. 7 & 8 Vict. c. 110, on a contract made in their name, the deed constituting the company, a copy of which has been delivered to the registrar on complete registration, is receivable in evidence, to shew what persons have power to act for the company; and that where, by the terms of such deed, the management of the company is committed to a board of eleven directors, (five of whom are to be a quorum for the dispatch of business), the acts of the board are not evidence to bind the company, unless it be shewn that at least five directors were present. In the same cases it was held, that a contract, entered into by such company, without all the formalities required by the 44th section of the act, 7 & 8 Vict. c. 110, may be enforced *against* the company, though not *by* them. It does not seem very easy to reconcile these two decisions, or to reconcile the former of them with the act in question. The result, however, is, that (unless it should be held that all contracts, having the requisites enumerated in the 44th section, shall be valid and effectual) the only safe mode of dealing with such companies will be to inspect first their deed of settlement. This proceeding would be attended with such a degree of trouble, expense, and loss of time, that, in the recent case of *Smith and Others* v. *The Hull Glass Company*, at the Nisi Prius Sittings at Guildhall, on the 11th November last, Mr. Justice Cresswell, in charging the jury, (the above-mentioned case of *Ridley* v. *The Plymouth Grinding Company* having been cited to him), said, "There is a new mode of constituting joint-stock companies. The results of this case will make such companies rather worse than better off than they were before. It will now be very difficult to make a contract with any joint-stock company, except with ready money."

In the case cited above, (*Smith and Others* v. *The Hull Glass Company*), the action was brought to recover 177*l.* 8*s.* 6*d.*, in respect of a quantity of zafres, a species of unrefined ore of cobalt glass, used in the manufacture of coloured glass, supplied to the defend-

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ants by the plaintiffs' agents at Hull. The working manager of the defendants gave certain orders to the agents, in pursuance of which the goods were removed from the docks, and delivered to the defendants. The elder of the Messrs. F., the agents, was then chairman of the Hull Glass Company; and both he and his son were shareholders, also, to a considerable extent. In November, 1847, the Messrs. F. failed, and at that time both of them were in arrears to the company for calls upon their shares, the elder of them to the amount of 2033*l.* odd. On the part of the plaintiffs it was sought to be established, that the Messrs. F., acting as their agents, had disposed of the goods in question to the defendants. It was contended, on the other hand, on behalf of the defendants, that they, the defendants, had had this transaction with the Messrs. F. alone, whom they treated as principals, and disclaimed any dealing with the plaintiffs. It was proved, however, that Mr. S., the defendants' working manager, had ordered the goods; that the company had never paid for them to Messrs. F.; and that the secretary of the defendants had held a correspondence with the plaintiffs themselves, clearly shewing, in its terms, that he considered the goods to have been purchased of them. Mr. F. the elder underwent a long cross-examination, with the view of establishing, on the part of the defence, that he had, as chairman of the company, burned or destroyed some of the correspondence relating to the transaction; but he strongly denied all recollection of his having done so. He was also asked, if he had not taken the invoices off the company's file relating to this transaction, and burned them; but this, too, he denied. He admitted, however, that he had taken the invoices relating to the goods in question off the file, and substituted others; but he explained that act in this way:—The goods in question were originally invoiced in his name; and he directed a clerk in the company's office, now the secretary, to substitute other invoices, in which they were invoiced to the present plaintiffs. At the time he substituted the invoices he was chairman of the company; and he also caused a corresponding alteration to be made in the company's books. This alteration and substitution, he said, he made, just in order to put the transaction in its proper position, he and his partner having only held the goods in question in transitu, and disposed of them as agents of the plaintiffs.

Byles, Serjt., for the defendants, contended, that the plaintiffs had not shewn that the defendants had promised, or were indebted; they had not shewn the company was indebted. There was no evidence whatever to shew that the numerous parties who did or might compose the company were liable. (*Ridley* v. *The Plymouth and Stonehouse Baking Company*, 17 Law Journ., N.S., 252).

Talfourd, Serjt.—There was evidence that the company, by their officer, (Mr. Stinger), ordered the goods.

CRESSWELL, J., (to *Talfourd*, Serjt.)—There was nothing to shew that Stinger had any authority to give the orders. You have got an admission under the hand of some individual. What authority had he to make an admission? Had he an authority to make an admission for the company? You are suing something which is the creation of an act of Parliament; and that act of Parliament describes the mode in which the business shall be conducted by a body so constituted, and then of the authority which shall be necessary to bind the different integral parts of that body. Your judgment against the company in this action would bind all the shareholders in it. It is right that the shareholders should not be bound by an action against the company, unless it is in conformity with an authority which is given in the deed. I shall tell the jury, that, upon the first issue, you have not given evidence, fit for their consideration, to shew that the goods were contracted for by any person having competent authority to bind the company.

CRESSWELL, J., (to the jury).—There is a new mode of constituting joint-stock companies. The result of this case will make such companies rather worse than better off than they were before. It will now be very difficult to make a contract with any joint-stock company, except with ready money. Perhaps it will be a very good thing if they were all obliged to do that, for we should not then hear so much of joint-stock companies selling their shares at a discount. The plaintiffs have not shewn that the goods were contracted for by any person having competent authority to bind the company; therefore, you must find for the defendant.—*Verdict accordingly.*

It can hardly be supposed that such a result was in the contemplation of the original framers of the Joint-stock Companies Registration Act. The bill was, we believe, drawn originally with much care, though without a due regard to the *lex mercatoria*, or *custom of merchants*—a custom which is the growth of long practical experience among men, who, without arrogating to them any extraordinary attributes, may be admitted to understand their own business better than strangers; and of which custom or law the object is to insure rapidity and safety in the transaction of the ordinary every-day business of men engaged in commerce. The bill was then, with the fate which attends most bills, thoroughly mangled in the House of Commons; and, instead of being afterwards revised by competent lawyers, and its obscurities, ambiguities, and inconsistencies, at least in some degree removed or reconciled, it was passed in its present state, to be, while it so continues, an incessant source of insecurity and litigation, and a never-ending puzzle for the exercise of the ingenuity of judges and lawyers.

LEGACY-DUTY ON THE PROCEEDS OF REAL ESTATE SOLD UNDER A DISCRETIONARY POWER.

The long-deferred judgment in the case of *The Attorney-General* v. *Simcox* has just been reported, (1 Exch. Rep. 749); and, as it is not likely that the principle of that decision will be acquiesced in without further litigation, it may be interesting to examine into the state of the authorities.

By the stat. 55 Geo. 3, c. 184, Sched., part 3, legacy-duty is charged on "the monies to arise from the sale, mortgage, or other disposition of any real or heritable estate directed to be sold, mortgaged, or otherwise disposed of by any will or testamentary instrument, . . . when the same shall be paid, retained, or discharged after the 31st August, 1815." The stat. 36 Geo. 3, c. 52, contains the principal provisions by which the payment of legacy-duty is now regulated, and among others a clause (sect. 22) directing the mode of ascertaining the duty on property not reduced into money, which makes no reference to real estate, because it was passed before the duty was imposed on money derived from real estate; but which is now applicable to the real estate directed to be sold, if the legatee of the produce elects to take the land in specie. Accordingly, it has been decided, that, if real estate is unequivocally *directed* to be sold, the legacy-duty will be payable on the value, if no sale takes place by reason of the legatee's electing to take the estate itself: *Attorney-General* v. *Holford*, (1 Price, 426), (a case on the 48 Geo. 3, c. 149, Sched., part 3), where the Court rested its decision on the intelligible ground, that, by the effect of the direction in the will, the property was in equity converted into personal estate, and, if the legatee had died before election, would have been held in trust for his personal representatives. So, in *Williamson* v. *The Advocate-*

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General, (10 Cl. & Fin. 1), where the will contained a direction to sell, which, it was contended, was only to take effect in case the testator left no heirs in tail, (as happened), and the legatee of the proceeds elected to take the land in specie, it was held, that the duty was payable on the value of the land. The principal debate in that case was, whether there was a direction or a mere power to sell; and it was considered, that there was an absolute direction, Lord Cottenham observing, that the criterion was, whether the trust amounted to a conversion of the real property out and out into personalty, or whether it was to be considered as a direction to sell, for the purpose of paying off certain charges, debts, and so on. "The decision," his Lordship said, "turns upon the opinion formed (varying, of course, according to the expressions used) upon the question, whether it falls under one denomination or another. . . . It is not necessary that the words of the power should contain an absolute direction to the trustees to sell. The intention of the testator must be gathered from all the provisions of the deed."

The criterion being, whether the trust amounts to a conversion or not, and not whether, in fact, a sale takes place, it follows, that, if there is a mere discretionary power to sell, not amounting to an equitable conversion, the duty will not be payable, though a sale takes place. (*Re Evans*, 2 C., M., & R. 206. See also some Scotch cases to the same effect, cited 10 Cl. & Fin. 14). In the case of *In re Evans*, Lord Lyndhurst, C. B., said, that every subject had a right so to shape the disposition of his property as to avoid the legacy-duty, if possible; and that there was no fraud in so doing. It was not necessary that the word "directed" should be found in the will; but the question was, whether there was such an obvious intention, and such a necessity for a sale to effectuate the purpose of the will, as that a sale could be said to be directed?

The principle of the preceding cases was lost sight of in *The Attorney-General* v. *Mangles*, (5 Mee. & W. 120), where there was an absolute trust for conversion and distribution of the real and personal estate as one fund, (which conversion the testator, in a subsequent part of the will, referred to as having been by him *directed*); but among the general powers given to the trustees was a power to defer any sale so long as they might think fit, and to cause any part or parts of the real and personal estates to be valued, instead of being sold and allotted to any of the legatees at the amount of such valuation; *but to be considered as personal estate*. Part of the real estate was allotted and part was sold. The Crown claimed duty both on the value of the land allotted, and on the proceeds of that which was sold. The Court, during the argument, intimated so decided an opinion as to the liability of the part which was sold, that the counsel for the legatees gave up that point. There are some other interlocutory dicta to be found in the report, from which, as well as from their judgments, it would appear that the learned judges had forgotten all that they might have learned on the equity side of the court. It was held, that the unsold land was not liable to duty. Parke, B., said—"The Crown is clearly entitled to the legacy-duty on the part of the estate which is sold; the remaining question is, whether, taking all the will together, this is a direction to the trustees to convert the estate into money, or whether it is really left in their discretion not to convert it into money, but to leave it as land?" How the Court could even allow it to be argued, that the trustees had power to prevent a conversion, after the express declaration of the testator that the land, though unsold, was to be considered as personalty, is inexplicable. The case, however, is clearly overruled by *Williamson* v. *The Advocate-General*, (10 Cl. & Fin. 1).

In *The Attorney-General* v. *Mangles* the Court did not profess to overrule the case of *In re Evans*, or any other case; but, in the recent case of *The Attorney-General* v. *Simcox*, the Court of Exchequer, after nearly three years' deliberation, expressly overruled the decision in *Re Evans*. The testator, in that case, devised his real estates to trustees and their heirs, in trust to pay the rents to his brothers and sister, and the survivors and survivor of them, for their lives and the life of the survivor of them; and after the death of the survivor to convey the estates to all his nephews and nieces living at his death, equally, as nearly as they could make partition of the same, and in the meantime to pay the rents to them. And he declared, that, for the purpose of such partition, it should be lawful for his trustees to sell all or any part of the said estates, and that they should stand possessed of the money arising from any such sale, upon the same trusts as were declared concerning the residue of the personal estate, (being similar trusts to those declared of the realty), with a superadded declaration as to the time of payment. The estates having been sold, it was held that the duty was payable. Pollock, C. B., after citing the clause in the Stamp Act, said, "Is this, then, an estate directed to be sold? If it is, then the duty attaches; if it is not, *then* no duty attaches." After commenting on the cases of *Re Evans* and *The Attorney-General* v. *Mangles*, and observing, that it was clear, from the latter case, that the existence of a discretion did not prevent the duty from attaching, his Lordship proceeded: "In the conflict or apparent conflict of authorities, we must look to the principle of the decisions, which, of course, are founded wholly on the language of the statute. The duty, it will be observed, attaches on money which is given to one or more legatees, and which has arisen from the sale of estates directed by the testator to be sold. There is certainly nothing in the language of the statute, which, in terms, confines its operation to cases where the direction to sell is absolute. If a testator should direct his land to be sold, and the money to be divided among legatees on any given contingency—as, for instance, in case his property should be under a certain value, or in case his eldest son should succeed to a family estate, or in case A. B. should agree to concur in the sale—there can surely be no doubt but that, on the happening of the contingency and consequent sale, duty would attach. The land would then be land directed to be sold. So, again, if the testator should direct the sale of a particular estate in case A. B. should think such sale to be for the benefit of the testator's children, then, upon A. B. signifying his opinion that it would be for the benefit of his children, the direction would be absolute, and duty would attach. It can make no difference that A. B. is himself the trustee for sale; and it follows, that in case of a devise to trustees to sell if they shall think it expedient and for the benefit of the cestuis so to do, duty would attach if they do think it expedient, and therefore sell." This argument is, no doubt, ingenious, and worthy of the schoolmen, but it is contrary not only to the authorities we have quoted, (including the opinion of Lord Cottenham, upon which the House of Lords acted), but to the words of the statute itself. The learned Chief Baron holds, that the duty attaches because a sale is directed, and he says, that a sale is directed whenever in event any one, acting under the authority of the testator, directs or effects a sale. But the statute imposes the duty only when the sale is "directed by the will." And, in the case put by the Chief Baron, the direction is given by another person, after the testator's decease. It would be an extraordinary use of the maxim, "Qui facit per alium facit per se," to hold that "direction" includes *liberty, license, permission*. If a testator says that in a given event the land shall be sold, he directs a sale; but if A. B., deriving from the testator authority to say whether a sale shall take place or not, directs a sale, how can the testator be said to direct a sale? See how

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far the Court of Exchequer must submit to be carried by their own reasoning. A testator gives his real estate "to trustees, upon such trusts for the benefit of his children as his widow shall appoint." The widow directs a sale and division of the proceeds among the children. Legacy-duty must, according to the Court of Exchequer, be paid; for the testator, by his agent, the widow, has directed a sale, and given the proceeds of the sale to his children. Nay, further: a testator devises real estate to such uses and upon such trusts as his son shall appoint; and, in default of appointment, to his son in fee. The son appoints to trustees, in trust to sell and pay the proceeds to strangers. According to the Court of Exchequer, the testator has directed a sale, and given the proceeds to those strangers, who must pay 10*l.* per cent. legacy-duty.

The judgment proceeds:—"The trustees, by selling, have shewn conclusively that they did think the most expedient course was to sell; and so, in the event, there was a direction to sell. Even, therefore, if there were no authority to guide us, we should have thought that duty attached; but, in truth, the case is governed by *The Attorney-General* v. *Mangles*, which is, in principle, the same as that now before us; the only distinction being, that there the devise was in trust to sell, with a power to abstain from doing so, and to allot the estate itself, instead of selling and distributing the produce; whereas here the devise is upon trust to allot, with a power, instead of so doing, to sell and distribute the proceeds. In both cases the trustees had a discretion to sell or not to sell, as they should think best for the cestuis que trust; and the exercise of that discretion by a sale was held, in *The Attorney-General* v. *Mangles*, to cause the duty to attach; and the same principle precisely applies here. The only difficulty we have felt has arisen from the decision in *Re Evans*, where, certainly, the Court seems to have decided, that a sale under a power to trustees to sell is not a sale of property directed to be sold, within the meaning of the act. The precise grounds on which the Court formed this opinion do not clearly appear*. The decision may, possibly, have turned on the mode in which the proceeds of the sales were in that case disposed of. The statute does not impose duty *in every case* of a sale directed by a will, but only where the proceeds are by the will given to legatees. Now, in the case *In re Evans*, the trustees were not directed to distribute the proceeds, but to invest them on securities upon the same trusts as attached on the lands sold. Possibly, the Court might have thought that this still left the character of real estate attaching on the money produced by the sale, and so that the statute did not apply. It is not necessary for us to give any opinion as to the validity of such a distinction; it is sufficient to say, that, if the case is to be taken as an authority for the general proposition, that duty does not attach in any case where the sale is made under a discretion given to the trustees to sell and distribute the proceeds, but without any positive direction imposing on them the obligation of selling. The case is clearly overruled by *The Attorney-General* v. *Mangles*, and is, as we conceive, contrary to any fair and reasonable construction of the statute."

We have already seen, that the decision in *Re Evans* was not affected by that in *The Attorney-General* v. *Mangles*, which was correct, so far as it was in favour of the Crown, and was clearly erroneous so far as it favoured the legatee.

We cannot think that this case of *The Attorney-General* v. *Simcox*—opposed as it is to all the authorities, except, perhaps, one; and proceeding upon a principle that necessarily involves the most extraordinary results—will be allowed to supersede the intelligible and sensible rule upon which the Courts (including the Court of highest authority) have hitherto acted, namely, that legacy-duty is payable, in respect of real estate, only where the testator has himself impressed upon it the character of personalty. S.

* We submit, that they do appear very clearly; whereas no grounds at all were stated for the decision in *The Attorney-General* v. *Mangles*, as to the duty on the proceeds of sale.

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Undersh., Charles Walter Wyatt, Esq., St. Asaph.
Deps. Bloxam & Ellison, 1, Lincoln's Inn-fields.

Flintshire—Philip Lake Godsal, Esq., Iscoyd Park.
Undersh., A. J. Roberts, Esq., Mold.
Deps., Milne, Parry, & Co., 2, Harcourt-buildings, Temple.

Merionethshire—Robert Davies Jones, Esq., Aberllafenny.
Undersh., T. W. G. Bonsall, Esq., Machynlleth.
Deps., Holme, Loftus, & Young, 10, New Inn.

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Montgomeryshire—Robert Gardner, Esq., Plas y Court.
Undersh., Charles T, Woosnam, Esq., Newtown.
Dep., H. Weeks, 12, Cook's-court, Lincoln's Inn-fields.

SOUTH WALES.

Breconshire—William Pearce, Esq., Ffrwdyrich.
Undersh., David Thomas, Esq., Brecon.
Dep., Henry Hammond, 16 Furnival's Inn.
Cardiganshire—Henry Hoghton, Esq., Hafod.
Undersh., F. R. Roberts, Esq., Aberystwyth.
Deps., Hawkins, Bloxam & Co., New Boswell-court.
Carmarthen—Thomas Taylor Webb, Esq., Carmarthen.
Undersh., George Thomas, jun., Esq., Carmarthen.
Deps., Rickards & Walker, 29, Lincoln's-Inn-fields.
Carmarthenshire—W. R. Howell Powell, Esq., Maesgwynne.
Undersh., Edward Randolph, Esq., Lympstone, Devon. Geo. Thomas, jun., Carmarthen. A. U.
Dep., John Trail, 4, Hare-court, Temple.
Glamorganshire—Robert Boteler, Esq., Llandough Castle, near Maesmawr.
Undersh., Thomas Evans, Esq., Cardiff.
Deps., Gregory & Sons, Clement's Inn.
Haverfordwest—George James, Esq., Haverfordwest.
Undersh., Jon. Rogers Powell, Esq., Haverfordwest.
Deps., Trinder & Eyre, 1, John-street, Bedford-row.
Pembrokeshire—Seymour Phillipps Allen, Esq., Cresselly.
Undersh., Arthur Lort Phillips, Esq., Haverfordwest. Thomas Gwynne, Haverfordwest. A. U.
Deps., Wathen & Phillips, 18 A, Basinghall-street.
Radnorshire—Edward Middleton Evans, Esq., Llwynbaried.

*** Warrants are granted in Town for Breconshire, Carmarthen (Borough), Cardiganshire, Radnorshire, and all places except Canterbury, Cinque Ports, Chester, Derbyshire, Durham, Exeter, Gloucestershire, Gloucester (City), Herefordshire, Kingston-upon-Hull, Lancashire, Lichfield (City), Monmouthshire, Poole, Southampton, Worcester (City), York (City), and the remainder of the Welsh Counties. Office Hours, in Term, from 11 till 4; and in Vacation, from 11 till 3.

London Gazettes.

TUESDAY, FEBRUARY 27.

BANKRUPTS.

THOMAS HUGHES, Newbury, Berkshire, mealman, dealer and chapman, March 6 and April 13 at half-past 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Bunny & Son, Newbury, Berkshire; Colley & Co., 9, New-square, Lincoln's-inn.—Fiat dated Dec. 27.

FREDERICK SKILL, Hugh-street, Pimlico, and Elizabeth-street, Belgrave-street South, Middlesex, printer, dealer and chapman, March 6 and April 13 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Moss, 12, Gray's-inn-square.—Fiat dated Feb. 24.

JOSEPH WOODHAMS, Tonbridge, Kent, grocer, draper, and general dealer, March 7 and April 13 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Stenning & Carnell, Tonbridge, Kent; Stenning & Croft, Basinghall-street, London.—Fiat dated Feb. 20.

THOMAS ATTERTON, Rattlesden, Suffolk, maltster and dealer in corn, dealer and chapman, March 13 at 12, and April 13 at half-past 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Pownall, Ipswich; Smith, 15, Furnival's-inn, Holborn.—Fiat dated Feb. 26.

HENRY LOISEL the younger and ALFRED EDAN, Hatton-garden, Middlesex, foreign provision merchants and confectioners, March 5 at 2, and April 16 at half-past 1, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Harrison & Dobree, Hart-street, Bloomsbury.—Fiat dated Feb. 22.

RICHARD HIGGINS, Watling-street, London, and WILLIAM HIGGINS, Ludgershall, Wiltshire, draper and grocer, (carrying on business as drapers and grocers, dealers and chapmen, at Ludgershall), March 7 and April 12 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Lewis, Raymond's-buildings, Gray's-inn.—Fiat dated Feb. 22.

WILLIAM LOMAS, Norwich, saw maker and dealer in tools, March 10 at 2, and April 21 at 11, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Wortley, Norwich; Brooke, New Boswell-court.—Fiat dated Feb. 23.

HENRY BENSLEY, Southtown, Suffolk, bricklayer, stonemason, lime burner, and coal merchant, (formerly trading in partnership with John Wragg, under the style or firm of Wragg & Bensley, as bricklayers, stonemasons, lime burners, and coal merchants), March 17 and April 21 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. Costerton, Great Yarmouth; Nichols, Cook's-court. — Fiat dated Feb. 22.

GEORGE BURTON, Bradford, Yorkshire, engraver and copper-plate printer, dealer and chapman, March 16 and April 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Terry & Watson, Bradford; Bond & Barwick, Leeds; Clarke, Southampton-buildings, London. —Fiat dated Feb. 22.

JOHN ARMITAGE, Linthwaite, Aldmondbury, Yorkshire, innkeeper, dealer and chapman, March 16 and April 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Bond & Barwick, Leeds; Sykes, Milnbridge; Pringle & Co., King's-road, London.—Fiat dated Feb. 22.

JAMES GILL, Litherland, near Liverpool, coal merchant, dealer and chapman, March 12 and April 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Brabner, Liverpool; Chester & Co., Staple-inn, London.—Fiat dated Feb. 21.

HENRY HILL SPURWAY, Tiverton, Devonshire, brewer, dealer and chapman, March 8 at 1, and April 11 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman: Sols. Stogdon, Exeter; Baker & Co., Lime-street, London.—Fiat dated Feb. 22.

JAMES SCOTT, Manchester, boot and shoe dealer, dealer and chapman, March 12 and April 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Rowley & Taylor, Manchester; W. & H. P. Sharp, 2, Verulam-buildings, Gray's-inn, London.—Fiat dated Feb. 21.

MEETINGS.

John Taft, Warwick-road, Paddington, Middlesex, carpenter, March 19 at half-past 12, Court of Bankruptcy, London, last ex.—*Jos. Readdy*, Church-lane, Whitechapel, Middlesex, leather seller, March 12 at 1, Court of Bankruptcy, London, last ex.—*Jas. Summers*, Cambridge, cabinet maker, March 10 at 12, Court of Bankruptcy, London, last ex.—*William Robarts*, Burnham, Buckinghamshire, apothecary, March 10 at 11, Court of Bankruptcy, London, last ex.—*J. Badcock*, East Ilsley, near Newbury, Buckinghamshire, draper, March 21 at half-past 11, Court of Bankruptcy, London, last ex.—*Thos. Coates*, Sunderland, Durham, spirit merchant, March 9 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Newark Lax* and *Edward Lax*, Berry Edge, Durham, grocers, March 6 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Francis Deflinne*, Manchester, gingham manufacturer, March 12 at 12, District Court of Bankruptcy, Manchester, last ex.—*John W. Burton*, *George Cotman*, and *Wm. Smith*, Manchester, and Leeds, Yorkshire, manufacturers, March 9 at 11, District Court of Bankruptcy, Manchester, last ex.—*Wm. Jones*, Beckford-row, Walworth, Surrey, grocer, March 22 at 12, Court of Bankruptcy, London, aud. ac.—*James Hunt*, Brentford-butts, Middlesex, out of business, March 22 at 11, Court of Bankruptcy, London, aud. ac.—*Andrew Hewlett*, Abbott's Ann, Southampton, carpenter, March 23 at 11, Court of Bankruptcy, London, aud. ac.—*John Bremner*, *Wm. Yates*, and *Alex. Smith*, Manchester, merchants, March 22 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*R. Ireland*, Wem, Shropshire, wine merchant, March 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*J. Worthy*, Hartlepool, Durham, builder, March 20 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 22 at 12, fin. div.—*John Welsh*, Carlisle, Cumberland, tailor, March 20 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 22 at half-past 1, fin. div.—*Joseph M. Penman* and *Thomas Penman*, Sunderland, Durham, apothecaries, March 20 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; March 22 at half-past 10, div. sep. est. of *T. Penman*.—*John Thuell* and *Wm. Jeffery*, Buckfastleigh, Devonshire, woollen manufacturers, March 27 at 11, District Court of Bankruptcy, Exeter,

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aud. ac.; March 28 at 11, div. sep. est. *John Thuell.*—*Jas. Jepson*, Driffield, Yorkshire, draper, March 21 at 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; March 28 at 11, div.—*W. Watson*, Elland, Yorkshire, ironmonger, March 27 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, fin. div.—*Thomas Ives*, Wakefield, Yorkshire, dyer, March 20 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Thomas Booth*, Fazeley, Staffordshire, miller, March 20 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Russell*, Leamington-priors, Warwickshire, grocer, March 20 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Smith*, Uttoxeter, Staffordshire, mercer, March 27 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*William Mott*, Regent-street, Piccadilly, Middlesex, laceman, March 20 at 11, Court of Bankruptcy, London, div.—*Thos. Lett*, Aspley Guise, Bedfordshire, builder, March 20 at 12, Court of Bankruptcy, London, div.—*F. K. Fowell* and *E. T. Craufurd*, Boulogne-sur-Mer, France, and Piccadilly, Middlesex, wine merchants, March 20 at half-past 12, Court of Bankruptcy, London, div. sep. est. of *F. K. Fowell.*—*R. Dawson*, Thorney, Isle of Ely, Cambridgeshire, grocer, March 22 at half-past 11, Court of Bankruptcy, London, div.—*J. Binns*, Newland-place, Kensington, and Acton, Middlesex, linen draper, March 22 at 11, Court of Bankruptcy, London, div.—*Fred. Leake*, Regent-street, Westminster, and George-yard, Westminster, Middlesex, relievo leather manufacturer, March 22 at half-past 1, Court of Bankruptcy, London, div.—*John Baylis* the younger and *James Baylis*, Gutter-lane, Cheapside, London, crape manufacturers, March 22 at half-past 12, Court of Bankruptcy, London, div.—*Henry Buckland*, Charles-st., Manchester-square, Middlesex, cabinet maker, March 23 at 11, Court of Bankruptcy, London, div.—*William Willis*, Trowbridge, Wiltshire, wool broker, March 22 at 2, Court of Bankruptcy, London, div.—*Richard Sergeant*, Maidstone, Kent, oilman, March 22 at 11, Court of Bankruptcy, London, div.—*Henry Smith*, East Malling, Kent, paper manufacturer, March 21 at 12, Court of Bankruptcy, London, div.—*Aysford Wise*, Wolborough, *N. Baker*, Newton Bushel, Highwick, and *Wm. S. Bentall*, Totnes, Devonshire, bankers, March 29 at 1, District Court of Bankruptcy, Exeter, div.—*Joseph Wooler*, Stockton-on-Tees, Durham, draper, March 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Charles Wright*, Sunderland, Durham, hatter, March 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, first and fin. div.—*Joseph Trewick* the younger, Newcastle-upon-Tyne, draper, March 22 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*A. Vickers*, Manchester, ironmonger, March 22 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Chas. Samson*, Chorlton-upon-Medlock, Lancashire, brewer, March 22 at 11, District Court of Bankruptcy, Manchester, div.—*Thos. Southall* and *Chas. Crudgington*, Sea Brook Iron Works, Tipton, Staffordshire, iron masters, March 20 at 10, District Court of Bankruptcy, Birmingham, div. sep. est. of *T. Southall.*—*C. Ashford*, Birmingham, packing-case maker, March 20 at 10, District Court of Bankruptcy, Birmingham, fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Giles, Shoreditch, Middlesex, clothier, March 20 at 12, Court of Bankruptcy, London.—*Richard Burgess Scale*, Leytonstone, Essex, lodging-house keeper, March 21 at 12, Court of Bankruptcy, London.—*Wm. Jones*, Beckford-row, Walworth, Surrey, grocer, March 22 at 12, Court of Bankruptcy, London.—*Andrew Hewlett*, Abbott's Ann, Southampton, carpenter, March 23 at 11, Court of Bankruptcy, London.—*Wm. Keys*, Robert-place, Commercial-road East, Middlesex, woollen draper, March 21 at 12, Court of Bankruptcy, London.—*John Bush*, Darkhouse-lane, Billingsgate, London, coffee-house keeper, March 21 at 2, Court of Bankruptcy, London.—*Thos. T. Haydon*, Hammersmith, Surrey, butcher, March 21 at 12, Court of Bankruptcy, London.—*Nicholas Butler*, Portsea-place, Edgeware-road, Middlesex, wholesale stationer, March 21 at 11, Court of Bankruptcy, London.—*Francis Cook Matthews*, Great Driffield, Yorkshire, agricultural chemist, March 20 at 12, District Court of Bankruptcy, Leeds.—*John Maunder*, Mark, Somersetshire, draper, March 20 at 11, District Court of Bankruptcy, Bristol.—*Gielis F. Henry* and *Henry John Chambers*, Kirkdale, Liverpool, vinegar brewers, March 21 at 11, District Court of Bankruptcy, Liverpool.—*George Thomas Arnold*, Liverpool, news agent, March 20 at 11, District Court of Bankruptcy, Liverpool.—*George Price*, Wolverhampton, Staffordshire, printer, March 22 at 12, District Court of Bankruptcy, Birmingham.—*Alfred Kensey Taylor*, Ledbury, Herefordshire, draper, March 22 at 12, District Court of Bankruptcy, Birmingham.—*Samel. Amos*, Hanley, Staffordshire, scrivener, March 20 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 20.

Wm. Silcock the younger, Crawley-street, Oakley-square, St. Pancras, Middlesex, victualler.—*Wm. Couch* and *John D. Couch*, Swansea, Glamorganshire, ship chandlers.—*Robert Hicks*, Lower Belgrave-street, Pimlico, Middlesex, apothecary.—*John Speakman*, Astley, Lancashire, joiner.—*Peter Clark* the younger, Colchester, Essex, pawnbroker.—*John Edw. Bacon*, Upper Russell-street, Bermondsey, and Maismore-square, New Peckham, Surrey, leather factor.—*Alexander A. Black*, Liverpool, ship owner.—*John Parsons*, Snenton, Nottinghamshire, brace manufacturer.—*George Ackland*, Moorgate-street, London, and Brixton, Surrey, and *Henry Oswin*, Cecil-street, Strand, Middlesex, merchants.—*Jas. B. Gordon*, Church-row, Limehouse, Middlesex, cooper.—*Rees Davies*, Cwm Tawe, Ystradgunlais, Brecknockshire, innkeeper.—*Blades Pallister*, Gravesend, Kent, innkeeper.—*James Moses Bridgland*, Wardour-street, Soho, Middlesex, piano forte manufacturer.

Partnership Dissolved.

T. M. Loveland and *H. H. Beckitt*, Lincoln's-inn-fields, Middlesex, attornies, solicitors, and conveyancers.

Scotch Sequestrations.

Alexander Jack, Clashnabuiack, cattle dealer.—*J. Yule*, Cromarty, innkeeper.—*Alex. Lockhart Bauchope*, Easter Brora, Sutherland, commission agent.—*Jas. Aitken*, Rutherglen, farmer.—*George Willis*, Edinburgh, clothier.—*D. G. Maclellan & Co.*, Glasgow, commission agents.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Whitaker, Huddersfield, Yorkshire, clerk in the locomotive department of the London and North-western Railway Company at Huddersfield, March 15 at 10, County Court of Yorkshire, at Huddersfield.—*John Atkinson*, Kingston-upon-Hull, saddler, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*T. Crossland*, Hull, Yorkshire, out of business, March 19 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*James Cann*, Bideford, Devonshire, gardener, March 8 at 10, County Court of Devonshire, at Bideford.—*James Holmes*, Stockbridge, near Keighley, Yorkshire, dealer in coals, March 21 at 11, County Court of Yorkshire, at Keighley.—*Maria Earles*, Reading, Berkshire, baker, March 12 at 10, County Court of Berkshire, at Reading.—*Joseph Turner*, Ipswich, Suffolk, fruiterer, March 15 at 10, County Court of Suffolk, at Ipswich.—*J. Gladding* the elder, Ipswich, Suffolk, butcher, March 15 at 10, County Court of Suffolk, at Ipswich.—*J. Cooper*, Handsworth, Staffordshire, coal dealer, March 12 at 2, County Court of Warwickshire, at Birmingham.—*Edward Wells*, Birmingham, currier, March 12 at 2, County Court of Warwickshire, at Birmingham.—*Benjamin Mountford*, Birmingham, out of business, March 12 at 2, County Court of Warwickshire, at Birmingham.—*Charles Collins*, Birmingham, bricklayer, March 12 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Perkins*, Northampton, out of business, March 12 at half-past 10, County Court of Northamptonshire, at Northampton.—*John Belben*, Wimborne Minster, Dorsetshire, out of business, March 15 at 10, County Court of Dorsetshire, at Wimborne Minster.—*Edw. Humphreys*, Birmingham, baker, March 12 at 2, County Court of Warwickshire, at Birmingham.—*James Armstrong*, Church Lawton, Chester, a labourer on the North Staffordshire Railway, March 9 at 10, County Court of Cheshire, at Congleton.—*Thomas Jordan*, Rochester, Kent, tidewaiter in her Majesty's Customs, at Rochester, March 8 at 10, County Court of Kent, at Rochester.—*Richard Barker*, Wrockwardine, Salop, tailor, March 9 at 10, County Court of Shropshire, at Wellington.—*Francis William Dray*, Whitstable, Kent, out of business, March 14 at 10, County Court of Kent,

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at Canterbury.—*Joseph Philpott*, Chatham, Kent, shoemaker, March 8 at 10, County Court of Kent, at Rochester.—*George Bates*, Canterbury, Kent, saddler, March 14 at 10, County Court of Kent, at Canterbury.—*J. F. Bedford*, Suffolk, Ipswich, cab-proprietors' assistant, March 15 at 10, County Court of Suffolk, at Ipswich.—*Adam Hunter*, New Woodstock, Oxfordshire, tea dealer, March 20 at 11, County Court of Oxfordshire, at Woodstock.—*J. Simpson*, Spalding, Lincolnshire, clock and watch maker, March 7 at 12, County Court of Lincolnshire, at Spalding.—*R. Goldthorp*, Salterhebble, near Halifax, Yorkshire, out of business, March 16 at 10, County Court of Yorkshire, at Halifax.—*William Nowell*, Manchester, tripe-dresser, March 9 at 1, County Court of Lancashire, at Manchester.—*James Robinson*, Chorlton-upon-Medlock, Lancashire, salesman, March 9 at 1, County Court of Lancashire, at Manchester.—*Thomas Lewis*, Hereford, labourer, March 15 at 10, County Court of Herefordshire, at Hereford.—*E. Fry*, Banwell, Somersetshire, retailer of beer, March 26 at 11, County Court of Somersetshire (Weston-super-Mare), at Axbridge.—*Richard Sandford*, Chorlton-upon-Medlock, Lancashire, book-keeper, March 9 at 1, County Court of Lancashire, at Manchester.—*James Cox*, Bath, beer-house keeper, March 9 at 12, County Court of Wiltshire, at Trowbridge.—*William Edmund French*, Bristol, out of business, April 4 at 11, County Court of Gloucestershire, at Bristol.—*Solomon Jefferis*, Liston, Gloucestershire, in no business, March 21 at 11, County Court of Gloucestershire, at Bristol.—*John Brotherton*, Bristol, master lumper, March 21 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 13 *at* 11, *before the* CHIEF COMMISSIONER.

George Brown, Great Chapel-street, Westminster, Middlesex, greengrocer.

March 13 *at* 11, *before Mr. Commissioner* HARRIS.

William Haynes, Winsley-street, Oxford-street, Middlesex, out of employ.—*Jane Annie Walton*, Great Russell-street, Bloomsbury, Middlesex, out of business.—*William Henry Henderson*, Well-street, Camberwell, and High-street, Clapham, Surrey, out of employ.—*William Forster*, Mount-street, Grosvenor-square, Middlesex, waiter.

Adjourned.

Edward Beck, Penge-cottage, Dulwich Common, Surrey, commission agent.—*James Mortimer*, Stanley-place, Paddington, printer.

March 13 *at* 10, *before Mr. Commissioner* LAW.

Harry Robson, William-street, Shepperton-bar, Islington, Middlesex, out of employ.

Saturday, Feb. 24.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Balls, Great Yarmouth, Norfolk, keeper of the Victoria-hotel, No. 70,389 C.; John Browne, assignee.—*David Williams*, Liverpool, publican, No. 70,583 C.; Robert Dawson, assignee.—*Jacob Smith*, Camden-street, Islington, Middlesex, builder, No. 59,157 T.; John Hunt, assignee.

Saturday, Feb. 24.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

George Bather, Edmond-street, King's-cross, Middlesex, copper-plate engraver: in the Debtors Prison for London and Middlesex.—*James Prosser* the elder, Upper Berkeley-street, Portman-sq., Middlesex, greengrocer: in the Queen's Prison.—*John Miller*, Wandle-place, Garratt-lane, Wandsworth, Surrey, baker: in the Gaol of Surrey.—*W. Crofts*, Vauxhall-walk, Lambeth, Surrey, general agent: in the Queen's Prison.—*William Bradley*, Peel-terrace, Bethnal-green, Middlesex, stay manufacturer: in the Debtors Prison for London and Middlesex.—*George Burrows*, York-terrace, Wharf-road, Battle-bridge, Middlesex, railway contractor: in the Debtors Prison for London and Middlesex.—*John Hurrey*, Stratford, Essex, potato salesman: in the Debtors Prison for London and Middlesex.—*Edward Reeves*, Assendon, near Henley-on-Thames, Oxfordshire, licensed victualler: in the Debtors Prison for London and Middlesex.—*Thos. R. Abbott*, St. George's-street, St. George's in the East, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*John Dalby*, Old Kent-road, Surrey, coal merchant's clerk: in the Gaol of Horsemonger-lane.—*Thos. Curling*, North Brixton, Lambeth, Surrey, omnibus conductor: in the Debtors Prison for London and Middlesex.—*John B. Larkman*, Gloucester-place, Kentish-town, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Henry Nelson*, Enfield-road, Kingsland-road, West Hackney, Middlesex, selling drapery goods on commission: in the Debtors Prison for London and Middlesex.—*John Starr*, Hart-st., Grosvenor-square, Middlesex, warehouseman to a cheesemonger: in the Debtors Prison for London and Middlesex.—*Richard Hutchinson*, Tollington-park, Hornsey-road, Middlesex, auctioneer: in the Queen's Prison.—*Thos. Theed*, Gt. Portland-street, Regent-st., Middlesex, money agent: in the Queen's Prison.—*Joseph Fundell*, Goldsmith's-row, Hackney-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*George Mitchell*, Princes-st., Marlborough-road, Chelsea, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Charles Atkinson*, York, publican: in the Gaol of York.—*John Hargreaves*, Bradley, near Huddersfield, Yorkshire, coal agent: in the Gaol of York.—*John Sharpe*, Westgate, Huddersfield, Yorkshire, commission agent: in the Gaol of York.—*Francis Brangwin*, Awbery's-farm, Beenham, near Reading, Berkshire, farmer: in the Gaol of Reading.—*Wm. J. Jenkins*, Tavistock, Devonshire, tailor: in the Gaol of St. Thomas the Apostle.—*Samuel Rouse*, Stafford, bookseller: in the Gaol of Stafford.—*Wm. Asbury*, Wootton, Brecon, Brecknockshire, publican: in the Gaol of Brecon.—*J. Wolverson*, Coseley, Sedgley, Staffordshire, chain maker: in the Gaol of Stafford.—*Thos. Leigh*, Chorlton-upon-Medlock, Manchester, builder: in the Gaol of Lancaster.—*Wm. Baker*, Road, Enstone, Oxfordshire, farmer: in the Gaol of Oxford.—*Wm. Jones*, Llyswen, Brecknockshire, farmer: in the Gaol of Brecon.—*George Beesley*, Rusholme, Manchester, coal dealer: in the Gaol of Lancaster.—*John M. Holt*, Chorlton-upon-Medlock, Manchester, coal dealer: in the Gaol of Lancaster.—*Ralph Ramsdale*, Bedford, near Leigh, Lancashire, tailor: in the Gaol of Lancaster.—*Joseph Morris*, Canterbury, Kent, licensed victualler: in the Gaol of Canterbury.—*George Morris*, Garnvach, near Nantyglo, Monmouthshire, grocer.—*John L. Clarke*, Liverpool, linen draper: in the Gaol of Lancaster.—*Richard Hall*, Liverpool, assistant to a sheriff's officer: in the Gaol of Lancaster.—*James Kelly*, Liverpool, cowkeeper: in the Gaol of Lancaster.—*Margaret Morton*, Hallgate, Wigan, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Chas. F. Parsons*, Liverpool, attorney at law: in the Gaol of Lancaster.—*Thomas Steeple*, Royton, near Oldham, Lancashire, licensed victualler: in the Gaol of Lancaster.—*George Groves*, Brendon, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*J. Smith*, Plymouth, Devonshire, superannuated shipwright: in the Gaol of St. Thomas the Apostle.—*John Jones*, Wigginton, St. Martin's, Shropshire, farmer: in the Gaol of Shrewsbury.

(On Creditors' Petition).

Wm. Livingston, Kingston-upon-Hull, victualler: in the Gaol of Kingston-upon-Hull.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 13 *at* 10, *before Mr. Commissioner* LAW.

George Hibbert, Belmont-place, Wandsworth-road, Surrey, cap manufacturer.—*Thomas Dobby*, Bedford-row, Middlesex, cab driver.

March 14 *at* 10, *before Mr. Commissioner* LAW.

Adjourned.

Richard Cushing, Hawkins-st., Jubilee-place, Commercial-road, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, *March* 15 *at* 10.

Edward Woolmer, Hadleigh, out of employment.

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At the County Court of Warwickshire, at WARWICK, *March* 19.

Robert Gold, Warwick, out of business.

At the County Court of Oxfordshire, at OXFORD, *March* 13.

Joseph Alder, Little Chesterton, labourer.—*Wm. Baker*, Road, Enstone, in no business.

At the County Court of Glamorganshire, at CARDIFF, *March* 13.

Lewis Edwards, Dowlais, out of business.—*David Lloyd*, Glamorgan, out of business.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *March* 16 *at* 10.

John C. Rees, Weguelin, Shaldon and Stokeinteignhead, farmer.

At the County Court of Shropshire, at SHREWSBURY, *March* 13 *at* 10.

John Jones, Wigginton, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas Freeman the younger, New-walk, Shad Thames, Southwark, timber merchant, Feb. 28, Nichols's, Cook's-court, Lincoln's-inn: 3*s.* 6½*d.* in the pound.

MEETINGS.

Thos. Clark, Milbank-st., Westminster, and Garden-row, London-road, Surrey, attorney at law, March 20 at 11, Court-house, Portugal-st., Lincoln's-inn-fields, sp. aff.—*Frederick Hall*, debtor in the County Court of Yorkshire, at Kingston-upon-Hull, March 19 at 3, Kingston-upon-Hull, sp. aff.

FRIDAY, MARCH 2.

BANKRUPTS.

ROBERT JONES, Castle-street, Holborn, London, commission agent, dealer and chapman, March 12 at half-past 12, and April 23 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Warrand, Castle-street, Holborn.—Fiat dated Feb. 28.

JOHN CREFT, Markham-st., Chelsea, Middlesex, general dealer, dealer and chapman, March 14 at half-past 12, and April 5 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Cooper, Hatton-garden.—Fiat dated Feb. 27.

EDWARD GIBSON, Saint Alban's, Hertfordshire, banker, dealer and chapman, March 16 at 1, and April 17 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrance & Plews, 14, Old Jewry-chambers.—Fiat dated March 1.

HENRY EDWARD BENNETT, late of Rue de Paix, Paris, France, but now of the Queen's Bench Prison, Southwark, Surrey, carrier, commission agent, dealer and chapman, March 17 at 1, and April 28 at 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Vallance, Old Jewry-chambers.—Fiat dated Feb. 23.

JOHN BAKER, Wollaston, Oldswinford, Worcestershire, victualler, dealer and chapman, March 10 and April 19 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Corser, Stourbridge.—Fiat dated Feb. 21.

PETER WOOLLEY, Ross, Herefordshire, tailor, woollen draper, dealer and chapman, March 20 and April 17 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Jay & Robinson, Hereford; Suckling, Birmingham.—Fiat dated Feb. 26.

JAMES BARBER and AARON BARBER, Martock, Somersetshire, ironmongers and grocers, dealers and chapmen, March 8 at 1, and April 11 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Adams, Martock, Somersetshire; Turner, Exeter; Patten, 41, Ely-place, Holborn, London.—Fiat dated Feb. 26.

HUMPHREY ROBERTS, Pwllheli, Carnarvonshire, draper and grocer, dealer and chapman, March 9 and April 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Owen, Pwllheli; Evans & Son, Liverpool; Croft, Staple-inn, London.—Fiat dated Feb. 17.

HUDSON CRANSTON, Sunderland, Durham, confectioner, chemist and druggist, (under the firm of Cranston & Son), March 13 at half-past 10, and April 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Cooper, Sunderland; Keenlyside & Harle, Newcastle-upon-Tyne.—Fiat dated Feb. 8.

CUTHBERT POTTS, ANDREW POTTS, and JOHN POTTS, Monkwearmouthshore, Sunderland, Durham, boat builders, fish curers, ship owners, dealers and chapmen, (trading under the style or firm of Cuthbert Potts and Brothers), March 13 at half-past 10, and April 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Allison, Sunderland; Bell & Co., 9, Bow Church-yard, London.—Fiat dated Feb. 17.

MEETINGS.

Wm. Clayton, Cheapside, London, carpet warehouseman, March 16 at 1, Court of Bankruptcy, London, ch. ass.—*Henry Parnell*, Moorgate-street-chambers, Moorgate-street, London, auctioneer, March 16 at half-past 1, Court of Bankruptcy, London, last ex.—*John Rhodes* and *James Rhodes*, Rochdale, Lancashire, cotton spinners, March 15 at 11, District Court of Bankruptcy, Manchester, last ex.—*J. Haworth*, Stone Fold-mill, near Haslingden, Lancashire, cotton spinner, March 13 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thos. Barraclough* and *John Everitt*, Southowram, Halifax, Yorkshire, woollen spinners, March 23 at 11, District Court of Bankruptcy, Leeds, last ex.—*James Bedeile*, Manchester, hatter, March 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thomas Ashworth* and *M. S. Keyworth*, Manchester, common brewers, March 26 at 12, District Court of Bankruptcy, Manchester, aud. ac. sep. est. of *Michael Septimus Keyworth*; March 27 at 12, div.—*John Meuks*, Sheffield, Yorkshire, licensed victualler, March 24 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Joseph Gurney*, Sheffield, Yorkshire, ivory scale cutter, March 24 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Henry F. Sefton*, Worcester, stationer, April 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*George Shardlow* and *James Bradshaw*, Stone, Staffordshire, shoe manufacturers, March 28 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; March 29 at 12, div.—*J. W. Petch*, Leeds, Yorkshire, grocer, March 23 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Thomas Williams*, Fenchurch-street, London, merchant, March 23 at 11, Court of Bankruptcy, London, div.—*James Hunt*, Horseferry-road, Westminster, Middlesex, builder, March 26 at half-past 1, Court of Bankruptcy, London, div.—*John Haddock*, Bury St. Edmund's, Suffolk, pawnbroker, March 23 at 12, Court of Bankruptcy, London, div.—*Thomas Ives*, Wakefield, Yorkshire, dyer, March 27 at 12, District Court of Bankruptcy, Leeds, div.—*James Bremner*, *Wm. Yates*, and *Alexander Smith*, Manchester, merchants, March 23 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Charles Mason*, Longsight, Lancashire, paper manufacturer, March 23 at 11, District Court of Bankruptcy, Manchester, first and fin. div.—*John Taylor*, Hollinwood, near Oldham, and Manchester, rope manufacturer, March 23 at 12, District Court of Bankruptcy, Manchester, div.—*R. Macoun*, Bolton, Lancashire, cotton spinner, March 13 at 12, District Court of Bankruptcy, Manchester, div.—*A. Walker* the elder, *M. Walker*, Birmingham, *Alex. Walker* the younger, and *Richard Hasluck*, Philadelphia, United States of North America, merchants, March 27 at 10, District Court of Bankruptcy, Birmingham, div. sep. est. of *A. Walker* the elder.—*Thomas Cooper*, York, stock broker, March 23 at 11, District Court of Bankruptcy, Leeds, div.—*Wm. Linley*, Consbrough, Yorkshire, scythe manufacturer, March 24 at 10, District Court of Bankruptcy, Sheffield, div.—*Francis Kirkby*, Leeds, Yorkshire, grocer, March 23 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Richard Dawson, Thorney, Isle of Ely, Cambridgeshire, grocer, March 26 at 2, Court of Bankruptcy, London.—*J. Slaney*, Wellington-place, Hackney, Middlesex, and Skinner-street, Bishopsgate, London, cabinet maker, March 26 at half-past 12, Court of Bankruptcy, London.—*J. J. Curtis*, Erith, Kent, hotel keeper, March 26 at half-past 11, Court of Bankruptcy, London.—*Fred. Batcheldor*, Queenborough, Isle of Sheppey, Kent, hay dealer, March 23 at half-past 11, Court of Bankruptcy, London.—*Thomas Hutchinson*, Upper Stamford-street, Blackfriars-road, Surrey, sugar refiner, March 24 at half-past 1, Court of Bankruptcy, London.—*William Shaw* the younger, Salford, Lancashire, printer, March 26 at 1, District Court of Bankruptcy, Manchester.—*W. B. Walters*, Embsay, Skipton, Yorkshire, cotton spinner, March 23 at 11,

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District Court of Bankruptcy, Leeds.—*John Jackson*, Clifford, Herefordshire, farmer, April 4 at 12, District Court of Bankruptcy, Birmingham.—*Thos. R. Jenks*, Birmingham, jeweller, March 27 at 10, District Court of Bankruptcy, Birmingham.—*Henry Richard Benbow*, March 27 at 10, District Court of Bankruptcy, Birmingham.—*John Scott*, Devonport, Devonshire, jeweller, March 27 at 11, District Court of Bankruptcy, Exeter.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 23.

Wm. Price, Strand, Middlesex, dealer and chapman.—*J. Roles*, Maiden, Newton, Dorsetshire, linen draper.—*J. Hall*, Shrewsbury, Shropshire, timber merchant.—*John Hall* the younger, Shrewsbury, Shropshire, timber merchant—*Henry Holdaway*, Petersfield, Southampton, brewer.—*Jas. Baines*, Whitechapel-road, and Smith-street, Stepney, Middlesex, baker.—*Wm. Stiles*, Lisle-street, Leicester-square, Middlesex, coppersmith.—*John Walker*, Upper Seymour-st., Edgeware-road, Paddington, Middlesex, hotel keeper.—*J. Stevens* the younger, Old Swinford, Staffordshire, glass manufacturer.—*Thomas Coleby*, Salford, Lancashire, cotton spinner.—*Jas. M. Wathew*, Nuneaton, Warwickshire, brick maker.—*Wm. Bower*, Wilmslow, Cheshire, cotton spinner.—*J. P. Durant*, Plymouth, Devonshire, chemist.

SCOTCH SEQUESTRATIONS.

James Whitelaw & Son, Airdrie, tailors.—*Donald Macdonald*, Skeabost, merchant.—*Andrew Fairbairn*, Portobello, grocer.

DECLARATIONS OF INSOLVENCY.

William Thomas Baker, Southgate, Middlesex, out of business, March 15 at half-past 12, Court of Bankruptcy, London.—*Richard Carr*, Beckford-row, Walworth-road, Surrey, cheesemonger, March 15 at 1, Court of Bankruptcy, London.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Humphrey Head, Frant, Sussex, out of business, March 22 at 10, County Court of Kent, at Tonbridge Wells.—*Thomas Rosser*, Llannelly, Breconshire, and of Blanavon, Lanover Upper, Monmouthshire, sign painter, March 9 at 10, County Court of Brecknockshire, at Crickhowell.—*Samuel Shepherd*, Little Horton, near Bradford, Yorkshire, woolsorter, March 19 at 11, County Court of Yorkshire, at Bradford.—*Harry Fry*, Newport, Monmouthshire, surgeon, March 21 at 10, County Court of Monmouthshire, at Newport.—*Daniel Barlow*, Alleytroyds, Church, Lancashire, joiner, March 12 at 11, County Court of Lancashire, at Blackburn.—*John Birt*, Rowde, Wiltshire, superannuated clerk of the Custom-house, London, March 13 at 11, County Court of Wiltshire, at Devizes.—*Benjamin Borrows*, Warrington, Lancashire, tallow-chandler, March 8 at 11, County Court of Lancashire, at Warrington.—*John Jones*, Mold, Flintshire, joiner, March 12 at 11, County Court of Flintshire, at Mold.—*Thomas Tibbitts*, Beausale, Hatton, Warwickshire, labourer, March 19 at 12, County Court of Warwickshire, at Warwick.—*William Best*, Heckmondwike, Yorkshire, out of business, March 22 at 10, County Court of Yorkshire, at Dewsbury.—*Richard Roskelly*, Wonwood, South Sydenham, Devonshire, farmer, March 12 at 10, County Court of Devonshire, at Tavistock.—*William Denner*, Harpford, Devonshire, out of business, March 14 at 10, County Court of Devonshire, at Honiton.—*James White*, Wakefield, Yorkshire, out of business, March 17 at 10, County Court of Yorkshire, at Wakefield.—*J. Jones*, Blaennant, Llanvigan, Brecknockshire, farmer, March 8 at 10, County Court of Brecknockshire, at Brecknock.—*Thos. H. Garlick*, Romsey Infra, Southampton, grocer, March 27 at 11, County Court of Hampshire, at Romsey.—*Francis Holland*, Lakenham, Norwich, grocer, March 26 at 10, County Court of Norfolk, at Norwich.—*George Owen*, Adwyrclawdd, Wrexham, Denbighshire, joiner, March 27 at 10, County Court of Denbighshire, at Wrexham.—*J. Roberts*, Cefn Mawr, Ruabon, Denbighshire, collier, March 26 at 10, County Court of Denbighshire, at Ruabon.—*John Corless*, Birkenhead, Cheshire, greengrocer, March 16 at 10, Birkenhead District County Court.—*William Moss*, Birkenhead, Cheshire, March 16 at 10, Birkenhead District County Court.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 19 *at* 11, *before Mr. Commissioner* PHILLIPS.

Peter Parmilo, Yeoman's-row, Brompton, Middlesex, plasterer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 16 *at* 11, *before Mr. Commissioner* HARRIS.

Henry Gladstone, Canterbury-terrace, Dover-road, Surrey, out of business.—*William James Kelly*, London-wall, City, smith.

March 17 *at* 11, *before Mr. Commissioner* PHILLIPS.

Wm. Lambert, Gloucester-place, Camden-town, Middlesex, out of business.—*Thos. Casey*, Hornton-terrace, Kensington, Middlesex, out of business.

March 19 *at* 11, *before the* CHIEF COMMISSIONER.

Robt. Cole, Brunswick-terrace, Peckham, Surrey, out of business.—*Benj. Dix*, Ralph-place, Brunswick-street, Dover-road, Surrey, dealer in building materials.—*John K. Wild*, Grove-place, Camberwell-grove, and Blackfriars-road, Surrey, undertaker.—*Robt. Jarman*, King's-row, and Trevor-square, Knightsbridge, paper hanger.—*Wm. M. Sloane*, Shouldham-street, Bryanstone-square, Middlesex, no trade.—*Joseph Bell*, Great Ormond-yard, Queen-square, Bloomsbury, Middlesex, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Joseph Robinson, Liverpool, canvasser for orders and deliverer of books, No. 70,555; Henry Armstrong the younger, assignee.—*Hugh Brown*, Liverpool, merchant, No. 70,441; Thos. B. Troughton, assignee.—*Robert R. Blease*, Kirkdale, near Liverpool, plumber, No. 70,460; William Chadwick, assignee.—*Dav. Williams*, Liverpool, cart owner, No. 70,583; Robt. Dawson, assignee.—*John Shutt*, Woodside, Birkenhead, near Liverpool, out of business, No. 70,581; George Mac Connal, assignee.—*Thos. Bradshaw*, Manchester, out of business, No. 70,585; George Lambert, assignee.—*George Bradshaw*, Manchester, baker, No. 70,497; John Haworth, assignee.—*Wm. Ashton*, Miles Platting, Newton, near Manchester, out of business, No. 70,596; James Little, assignee.—*Betsey Bonnell*, Lancaster, out of business, No. 70,654; Richard Threlfall, assignee.—*John Hodson*, Penwortham, near Preston, Lancashire, provision dealer, No. 70,659; John Thornley, assignee.—*John Strehorn*, Manchester, retail dealer in ale, No. 70,629; Thos. Clowes, assignee.—*Wm. Brown*, Rochdale, Lancashire, cheese factor, No. 70,632; William Woodward, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *March* 16 *at* 10.

Saml. Beattie, Deansgate, Manchester, out of business.—*Margaret Morton*, Hallgate, Wigan, licensed victualler.—*Geo. Cunliffe*, Middleton, grocer.—*Geo. Beesley*, Rusholme, Manchester, coal dealer.—*John M. Holt*, Chorlton-upon-Medlock, Manchester, coal dealer.—*Wm. Bailey*, Salford, out of business.—*Wm. Bowden*, Droylsden, near Manchester, farm labourer.—*John Southam*, Manchester, general agent.—*Charles Fred. Parsons*, Liverpool, attorney at law.—*Richard Hall*, Liverpool, bailiff.—*John Cook*, Preston, coal dealer.—*David Jones*, Chorlton-upon-Medlock, out of business.—*John Shaw*, Halliwell, near Bolton-le-Moors, plumber.—*Thomas Thompson*, Manchester, gingham manufacturer.—*John L. Clarke*, Liverpool, out of business.—*Thos. Leigh*, Chorlton-upon-Medlock, joiner.—*Samuel Figgis*, Liverpool, out of business.—*Hen. Harrison*, Manchester, beer-house keeper.—*Wm. Brown*, Rochdale, out of business.—*Ralph Ramsdale*, Bedford, near Leigh, tailor.

At the County Court of Kent, at CANTERBURY, *March* 14.

Joseph Morris, Canterbury, out of business.

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At the County Court of Yorkshire, at KINGSTON-UPON-HULL, *March* 19 *at* 10.

Colley Bedford the elder, Kingston-upon-Hull, tailor.

At the County Court of Devonshire, at the CASTLE OF EXETER, *March* 16 *at* 10.

Wm. J. Jenkins, Tavistock, tailor.—*George Groves*, Brendon, out of business.—*Rob. Steer*, Willand, out of business. *Ann Strike*, widow, North Petherwin, out of business.

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LONDON, MARCH 10, 1849.

Since our last review of decisions upon the County Courts Act, (9 & 10 Vict. c. 95), (see 12 Jur. 521), several important points have been raised under its "suggestive" influence.

It has been held, that, if judgment has been signed, an application should be made to set it aside before the application for leave to enter a suggestion in order to deprive the plaintiff of costs; (*Smith* v. *Roberts*, 13 Jur. 93; *Thomas* v. *Cooper*, 18 Law Journ., N. S., Exch., 38); but that, if the defendant cannot ascertain whether judgment has been signed or not, the defendant may apply contingently to set aside the judgment, "*if* entered up," and to enter a suggestion, &c. (*Vicars* v. *Mould*, 13 Jur. 85). From this last case it appears, that the application to set aside the judgment may be made as part of and simultaneously with the application to enter the suggestion.

It has been doubted whether the plaintiff can be deprived of costs, under the act, where the defendant has suffered judgment by default. The words of the 129th section are, "If a *verdict* shall be found for the plaintiff for a sum less than 20*l.* &c., he shall have judgment to recover such sum only, and no costs, &c., unless the judge who shall try the cause shall *certify*" &c. This question was mooted in *Smith* v. *Roberts*, in which Alderson, B., said, "There is another point in this case which it will be necessary to discuss some day, namely, whether the 129th section of the 9 & 10 Vict. c. 95, applies at all to the case of a judgment by default. That section clearly contemplates a case where there is a verdict, either for a plaintiff or defendant, on which the judge could grant a certificate."

It is difficult to include judgment by default under the word "verdict;" and though the assessment of damages, on a writ of inquiry, may be said in one sense to be a verdict, as being the decision of a jury, yet in actions of debt no such proceeding follows a judgment by default; and, therefore, to apply the statute to judgments by default, on which a verdict or decision of a jury is given, would be to introduce a strange and inconvenient distinction between debt and assumpsit. In the former case, if the plaintiff recovered less than 20*l.* by judgment by default, he could not be deprived of costs; in the latter, he could be so deprived.

Moreover, in either form of action, the sheriff has no power to certify, as he is not "the judge who shall try the cause." (See *Jefferies* v. *Beart*, 12 Jur. 1003; and under 43 Eliz. c. 6; *Jones* v. *Bond*, 5 Dowl. 455; *Claridge* v. *Smith*, 4 Dowl. 583; *Wardroper* v. *Richardson*, 1 Adol. & Ell. 76). In *Jefferies* v. *Beart*, Wightman, J., stated, that if it was desired to give the sheriff this power on a writ of trial, it should be inserted in the order for the writ; but we submit that such a power cannot be delegated.

In a former article we stated it as our opinion, that the act does not apply to judgments by default, (12 Jur. 361); and we see no reason to alter our view of the effect of the statute in this respect.

A question has arisen on the meaning of the exception contained in sect. 128, by which the concurrent jurisdiction of the superior Courts was reserved, "where the cause of action did not arise wholly or in some material point within the jurisdiction of the Court within which the defendant dwells." The ordinary construction put on these words had been, that, if the cause of action arose in *any* material point within the jurisdiction of the inferior Court within which the defendant dwelt, the action should be in that court; but it was

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said by Alderson, B., in *Butler* v. *Corney*, (17 Law Journ., N. S., Exch., 266), "The section is awkwardly worded; and I am not certain that it does not mean, 'if no material part of the cause of action arises out of the jurisdiction,' instead of meaning, as I at first thought, 'if any material part arises within it.'" (And see *Ghislin* v. *Deen*, 13 Jur. 82).

This question, however, was more fully considered, and may be said to have been decided, in *Wood* v. *Perry*, (13 Jur. 129), in which it was held by the Court of Exchequer, that where any *one* item in a tradesman's bill, consisting of items so connected as to form one "cause of action," arises within the jurisdiction of a county court, the cause of action, in some material point, arises within that jurisdiction, and the superior Court has not concurrent jurisdiction under the 128th section of the Small Debts Act.

It may be added, that, where the facts are such as to create a reasonable doubt whether they come within the statute or not, it is the practice of the Courts not to try the merits on affidavit, but to make the rule absolute for entering a suggestion, so that the parties may have an opportunity of raising the question on the record.

MR. DRUMMOND'S BILL TO FACILITATE THE TRANSFER OF REAL PROPERTY.

The speech with which Mr. Drummond introduced his bill was amusing, if not edifying; but his bill is neither amusing nor edifying. As much of it as is intelligible appears to be a clumsy plagiarism from the plan which has been in use in the great manor of Sion for nearly a century—a plan improved and adapted by the late Mr. Duval, with great ingenuity, to the purposes of a general registry, and embodied by that gentleman, under the auspices of the Real Property Commission of 1830, into a bill, which Lord Campbell has thrice (in 1830, 1831, and 1845) unsuccessfully pressed upon the attention of the Legislature.

We have already explained Mr. Duval's plan in detail, (ante, vol. 9, part 2, p. 207). Its main features are these—to have all documents affecting lands and executed after the establishment of the registry, or copies of them, deposited at the registry-office; to make the index to the registry a collection of abstracts of title, a separate head in the index being devoted to each distinct estate or title, referring to all the documents on the register which concern that estate or title, and forming, in fact, a brief abstract of the title, kept up from time to time, as new dealings with the estate are registered. This appears to be identical in principle with the scheme of Mr. Drummond's bill, or rather with what it would have been if the framer of it had taken time and thought to reduce his own vague speculations to form and consistency. Mr. Drummond, however, does not propose that the adoption of his register should be compulsory, but only that, if once a freehold title to any land is placed on the register, all future dealings with that land must be registered.

We were at one time disposed to regard Mr. Duval's plan as the only practicable one; but we have since paid considerable attention to Mr. R. Wilson's scheme for abolishing retrospective deduction of title, (explained ante, vol. 11, p. 38), and are inclined to think that the only objection to it is its novelty. The choice rests between the two.

Mr. Drummond's bill is intrinsically beneath criticism; but as the Middlesex and Yorkshire nuisances have been the occasion of unfounded prejudice against the principle of registration, so this bill, if its absurdities are not exposed and disavowed by the advocates of registration, may be employed to the detriment of the cause.

The bill contains thirty-six clauses, of which the first is devoted to the usual work of definition, which is despatched in a somewhat unusual fashion: for example:—

"The word 'incumbrance' shall mean any legal or equitable mortgage in fee or for any less estate or interest, and also any money secured by a trust, and any money secured by or due or payable upon or in respect of any judgment, decree, or order of any court of law or equity of competent jurisdiction, and shall include lis pendens, and also any legacy, portion, lien, or other charge whereby a gross sum of money is charged on or secured to be paid or ordered to be paid by such Court as aforesaid out of land on an event or at a time either certain or contingent, and also any annual charge which by the instrument creating the same, or by any other instrument, is made re-purchasable on payment of a gross sum of money, and any other annual rent-charge issuing out of land, (not being rent payable by a lessee or other occupying tenant at a rent), and the dower or freebench of any widow entitled to dower or freebench; and the word 'incumbrancer' shall mean any person entitled to any such incumbrance as aforesaid, or entitled to require the payment or discharge thereof, or entitled to any estate or interest in lands in respect thereof; and the word 'possession' shall include the receipt of the rents and profits of the land; and the word 'owner,' as applied to any land, shall include any person entitled, in possession, reversion, remainder, or expectancy, to land for an estate for life or any greater estate, and shall include the assignee of any bankrupt or insolvent person, and any person entitled, in possession, reversion, remainder, or expectancy, to a lease as before defined, whether such land be or be not subject to any incumbrance, or trust for payment of an incumbrance, on such land, either in fee or for any lesser estate, and feoffees or trustees for charitable or other purposes, and shall extend to bodies politic, corporate, aggregate, or sole."

From the above definitions, it appears, that, under this bill, a trustee for a mortgagee is to be considered as at once the owner of the land and the incumbrancer on it.

Sects. 2 to 6 relate to the appointment of the registrar and subordinate officers, and the building in which the register is to be kept.

Sect. 7 enacts, "That the registrar shall receive all documents hereby authorised to be registered, and shall register the same according to the provisions of this act, and shall, at the option of the party delivering the same, or his agent, to be expressed in writing, either retain the same, or re-deliver the same when registered to such party or his agent; and the registrar shall enter upon the registry all acts and transactions which under the provisions of this act shall be done or transacted by means of the registry only, or partly by means of the registry and partly by means of other documents; and when any party who shall have delivered documents to the registrar for registration, or who shall have done or transacted any matter or transaction wholly or partly by means of the registry, shall, by himself or his agent, require a copy of the registry relating to such documents or such matter or transaction, or of a part thereof respectively, the registrar shall deliver to such party or his agent the copy so required; and all entries on the registry, and all acts done with respect thereto, and all copies which shall be given out, shall be made, done, and given according to the form and authenticated in manner and at or within the time prescribed by the rules of the registry for the time being; and in case any

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document shall be re-delivered as aforesaid, a fair copy thereof shall be retained by the registrar."

After providing that office copies of or extracts from the registry shall be evidence, it is enacted, (sect. 9), that the registry of registered documents, and transfers to be made on the register, shall be, as nearly as possible, according to the forms given in the schedule to the act, and either with or without such additional or other schedules, or in such other manner as shall be deemed necessary, and as the registrar shall approve of.

We have not room for the schedule in extenso. It contains five forms: A 1, A 2, &c. A 1 is a schedule of lands, comprising columns for the date of entry, the county and parish where the lands are situate, the owner, a reference to the map, a reference to the "particulars of lands," (which is the form A 3), the general names and tenures of the lands, and a "reference to incumbrances," (which is meant to be, we presume, a reference to conveyances and incumbrances). A 2 is a schedule of the maps deposited relating to A 1, and merely refers to the distinctive marks on the maps, and the boxes where they are kept. A 3 contains the particulars of the lands in A 1, and is a kind of schedule of parcels, with references to the map. A 4 is called "Particulars of registered Documents relating to A 1, except Incumbrances." It contains columns for the date of entry, the numbers and dates of the documents, the "names of parties by whom or on whose behalf documents are deposited, *and in what character;*" and a column headed "Nature of Document," which we give at length:—

"Lease and release, conveying the freehold parts of A 1 to X., his heirs and assigns, with covenants to surrender the copyhold parts to the use of A., his heirs and assigns, and assignment of the leasehold parts for residue of term. (Dated 1829).
"Surrender of the above copyholds.
"Admission of A., to hold to him, his heirs and assigns, according to the custom of the manor of ——.
"Transfer in books of registry, A. to B., of the above freehold lands.
"Transfer in books of registry, —— book, p. ——, of the above copyhold and leasehold land, A. to B.
"B.'s will, devising all his estates to X.
"X., executor, who proved in Prerogative Court of Canterbury."

The form A 5 is headed, "Particulars of registered Incumbrances affecting A 1, and Documents relating to them." We give the last column:—

"Mortgage in fee, A. to B., of the freehold.
"Settlement before marriage of A. with E. P.,
"Of the freehold, subject to the mortgage:
"The Copyhold:
"The Leasehold.
"Limitations,
"A., for life, without impeachment of waste:
"B., for life, as her jointure:
"Sons of the marriage successively, according to seniority, in tail male:
"A., in fee:
"Power to A. to grant leases for twenty-one years in possession, at best rents, without premiums:
"Powers to trustees to sell, exchange, enfranchise, and make partition, to apply money arising by exercise of powers—
"in payment of costs:
"in discharge of incumbrances:
"in purchase of lands, to be settled to same uses:
"in purchase of stock, or on mortgage.
"Certificate of marriage of A. and E. P.
"Certificate of baptism of T., eldest son of marriage.
"Mortgage of —— day of ——, transferred to M.
"Sale of parts of the freehold, viz.
"(Transferred to B 1, No. —).
"(This is when a new account is opened).
"Discharge of mortgage No. 1 out of proceeds of sale.
"Disentailing deed by T. Transfer, subject to the life-estate to himself in fee.
"Surrender of the copyhold for same purpose.
"Certificate of burial of E. A., late P.
"Transfer on books of registry, book ——, p. ——, of residue of freehold and all the copyhold and leasehold, to ——.
"Transferred to C 1, No. —).
"(This is when a new account is opened)."

Sect. 10 enacts, "That every person who shall propose to register any land or incumbrance shall, on depositing the documents relating thereto which he shall propose to register, deposit therewith one or more than one map, as circumstances may require, of such lands with such schedule and book of reference thereto as shall be necessary, in order to specify such lands and the divisions thereof, if any, and the acreage thereof; and such schedule and book of reference may also contain a statement or description of mines, commons, rights of way, rights of water, rights of light, and other easements, privileges, and appurtenances belonging to or enjoyed by the owner of such land in respect thereof, and shall contain a statement or description, so far as the party can make the same, of mines, commons, rights of way, rights of water, rights of light, and other easements, privileges, and appurtenances belonging to or enjoyed by any other person in, over, upon, or out of such land; and every such map as aforesaid shall be upon the same scale as the maps made under the direction of the commissioners for the commutation of tithes in England and Wales are made upon; and every such schedule and book of reference shall be made conformably to the rules of the registry; and the registrar shall have power to require alterations or additions to be made therein, or altogether to require the same to be made anew, when and in case he shall consider it necessary so to do, regard being had to the provisions of this act and the rules of the registry; and the registrar shall cause all maps, schedules, and books of reference deposited as aforesaid to be labelled, indexed, put away, and kept, and from time to time produced in such manner as the objects of this act and the rules of the registry shall require or direct."

After authorising the correction of errors in the map, and providing for searches, (which are to be made by the registrar, on the application of any party shewing good cause), &c., it is enacted, (sect. 16), "That it shall be lawful for every person, being an owner of lands, to register his lands, and such deeds, wills, or evidence relating to or affecting the same lands as at the time of registering the same lands shall be in the possession or power of such owner." [Not all of them, we hope. We fancy we see a registry-office, with the inscription, "Rubbish may be shot here," and all the muniment rooms in the country emptied against it; copies being duly returned to the owners.]

Sect. 17. "That, when any owner of lands shall register such lands, he shall also register the incumbrances, and all other estates and interests which shall at the time of such registry affect the same, and, in default of his so doing, his registry shall, so far as regards all such unregistered incumbrances, estates, or interests, be inoperative, until perfected either by himself or by or on behalf of the incumbrancer or other person whose incumbrance, estate, or interest shall have been omitted."

Sect. 18. "That, whenever any lands shall have been registered by the owner alone, or by the owner and an incumbrancer jointly, such lands shall thenceforth be and remain subject to the provisions of this act, and

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every subsequent transfer or transaction, whether by operation of law or otherwise, will or act, of or affecting the same, which shall be made or done by the person who registered such land, or any person deriving title through or under him, or in remainder or reversion after him, or taking in defeasance of his estate, shall also be registered, or otherwise shall be inoperative and void as against any person claiming under a registered title." [A tenant for life, therefore, will have the privilege of "throwing the inheritance into registry," just as a trustee can now throw an estate into Chancery.]

After providing, among other things, for the convenience of owners who are not in possession of the title-deeds—for the registration of incumbrances and estates in remainder and reversion—the bill enacts, in terms which we dare not attempt to abridge, as follows:—

Sect. 28. "That, from and after the day appointed for this act to come into operation, all transfers of land registered under the provisions of this act shall be made either by a document which shall be registered, or by the transferor signing in the books of the registry an acknowledgment of the transfer, and the consideration (if any) on which such transfer is founded, and a receipt for the money (if any) paid as the consideration for such transfer; and such transfer or signature as aforesaid, with such receipt as aforesaid, if necessary, shall be effectual to pass to the transferee the whole estate and interest of the transferor, as appearing on the registry, in the land transferred; and the same shall thenceforth, subject to the provisions of this act, be free from incumbrances, except registered incumbrances, and quit-rents, land-tax, tithes, perpetual rent-charges, and other similar customary payments, heriots, outgoings, and services, (if any), and any covenants, rights of way, and other easements to the benefit of which any other person may be entitled in such land; and when and in case such transfer shall transfer land which shall appear by the registry to be of freehold tenure, and held for an estate in fee-simple, free from incumbrances, except as aforesaid, the transferee shall be entitled to hold and enjoy and dispose of the same for an estate in fee-simple, or for such less estate as shall be transferred to him, free from all adverse claims, and all charges, debts, and incumbrances, except and subject as aforesaid; and when and in case such transfer shall transfer land which shall appear by the registry to be of customary or copyhold tenure, and held for a customary or copyhold estate in fee-simple, free from incumbrances, except as aforesaid, the transferee shall be entitled to hold and enjoy and dispose of the same for a customary or copyhold estate in fee-simple, as the case may be, or for such less estate as shall be transferred to him, free from all adverse claims, and all charges, debts, and incumbrances, except and subject as aforesaid; and when and in case such transfer shall transfer land which shall appear by the registry to be held on lease, free from incumbrances, except registered incumbrances, and except lessee's rent and covenants, the transferee shall be entitled to hold and enjoy and dispose of the same for the estate or interest for which the same is held, or for such less estate as shall be transferred to him, free from all adverse claims, and all charges, debts, and incumbrances, except and subject as aforesaid: provided nevertheless, that transfers of customary or copyhold lands, under the provisions of this act, shall be subject to the same fines, fees, and expenses as they would have been subject to if made by surrender, according to the custom of the manor of which such lands are holden; provided also, that leasehold lands which are or shall be subject to any condition or restriction against assignment, sub-letting, or other alienation, either by operation of law or act of the party, without license of the lessor, shall not be transferred, under the provisions of this act, without such license as would be necessary in case they were transferred without reference to the provisions of this act."

The meaning is here somewhat eclipsed by the beauty of the composition and style, and the only observation upon which we shall venture with regard to it is, that the immunity from incumbrances which this section professes to confer is apparently confined to the case of a transfer by acknowledgment in the books of the registry, and does not extend to a transfer by a registered deed of conveyance, the effect of which is governed by the somewhat more intelligible provisions of the 25th section, which enacts,

"That from and after the day on which any *land* shall be registered every estate or incumbrance which shall thenceforth be created on such land, or transferred, shall be created or transferred only by a registered document, or by a registered acknowledgment under the hand of the owner of such land, and shall, as regards subsequent purchasers or transferees for money or other valuable consideration, and *incumbrancers*, affect only the specific land mentioned in such document or acknowledgment, and no other; and no such purchaser, transferee, or incumbrancer shall be affected by notice, otherwise than notice on the registry of any prior estate, charge, or incumbrance, but in this respect all equitable and other doctrines of notice shall have no operation, and shall be altogether disregarded; and all unregistered transfers, charges, and incumbrances shall be deemed fraudulent and void as against such purchasers for money or other valuable consideration, and as against such subsequent incumbrancers: provided always, that nothing herein contained shall prejudice the rights or claims, as against the owner or transferor of any land or incumbrance, of any party who has or shall have any right to or claim upon any such land or incumbrance, but shall only prejudice such rights or claims as aforesaid as upon or against the land or incumbrance so transferred; provided also, that entry on the registry shall be full notice to all persons of all transactions registered from the date of the entry thereof respectively."

The remaining sections provide (more suo) for the transfer and discharge of incumbrances, for conferring an indefeasible title after thirty years' registry (preceded by advertisement in the London Gazette) and undisturbed possession, for giving to registered mortgagees certain powers and remedies, for registering disentailing deeds and assurances by married women, and for dispensing (which we venture to suggest should be done at all events, and by the same act which abolishes Smithfield-market) with registry in any local office.

Such is Mr. Drummond's bill. To criticise it were to waste both our own time and that of our readers. We hope soon to be able to discuss the views of the present Real Property Commissioners on the important and difficult subject which Mr. Drummond proposes to dispose of in this rough-and-ready way. Mr. Duval's bill, though nearly three times as long as Mr. Drummond's, does not contain a superfluous word, and lays out and settles the minutest details of a simple and intelligible plan, in language at once elegant, popular, and precise. As an instance of that reliance on the extent and limits of the meaning of words which was the secret of Mr. Duval's *concise* style, (examples of which are as frequent in his opinions as they are rare in his conveyancing drafts), we may cite the following definition from his interpretation clause:—"And the word 'assurance' shall extend to a contract." Mr. Drummond, we have seen, is more explanatory, and tells us that the word "land" shall extend to messuages, lands, &c., and that a mortgage is an incumbrance.

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London Gazettes.

TUESDAY, March 6.

BANKRUPTS.

JOHN HENRY STULPNER and DEIDRICH CARSTEN HERMAN LOMER, Mark-lane, London, general merchants, dealers and chapmen, (formerly carrying on business under the style or firm of J. H. Stulpner, H. Lomer, jun., & Co.), March 14 at half-past 11, and April 17 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. R. & W. G. Roy, 42, Lothbury.—Fiat dated Feb. 27.

JOHN HIGHMAN WHITE, Shaftesbury, Dorsetshire, grocer and baker, March 14 at half-past 12, and April 17 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Wills & Burridge, Shaftesbury; Tilson & Co., 29, Coleman-st., London.—Fiat dated Feb. 23.

GEORGE HENRY BEADLE, Sydenham, Kent, builder, March 12 at 2, and April 23 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Trail, Hare-court, Temple.—Fiat dated March 2.

JAMES LAWRIE, Newington-causeway, Surrey, milliner, March 14 at 11, and April 12 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Sheard, Old Jewry.—Fiat dated March 3.

GEORGE HENRY LOVEGROVE, West Ham Churchyard, Essex, auctioneer, builder, dealer and chapman, March 17 at half-past 1, and April 28 at 12, Court of Bankruptcy, London: Off. Ass. Green: Sol. Wilde, Union-court, Old Broad-st.—Fiat dated March 2.

MARY GARRAD and EBENEZER KING, Colchester, Essex, milliners, March 15 at half-past 1, and April 17 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Philbrick, Colchester: Reed & Co., 59, Friday-street, Cheapside, London.—Fiat dated March 2.

THOMAS TIPSON, Birmingham, factor, dealer and chapman, March 20 and April 17 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Bartlett, Birmingham.—Fiat dated Feb. 21.

ELIZABETH RUTTER, Tunstall, Wolstanton, Staffordshire, grocer and provision dealer, dealer and chapwoman, March 17 and April 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Cooper, Tunstall; Smith, Birmingham.—Fiat dated March 1.

HENRY NEWTON, Northfield, Worcestershire, butcher, dealer and chapman, March 17 and April 21 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Chesshire, Birmingham.—Fiat dated Feb. 27.

JOSEPH PERRIAM, Exeter, porter merchant, ship agent, dealer and chapman, March 15 and April 12 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Terrell, Exeter; Terrell, Gray's-inn, London.—Fiat dated March 1.

CHRISTOPHER APPLEBY JORDISON, Maunby, Yorkshire, corn merchant, dealer and chapman, March 19 and April 24 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Holt, Middlesbrough, Yorkshire; Bond & Barwick, Leeds: Mourilyan & Co., Gray's-inn, London. —Fiat dated March 1.

LACHLAN M'LAUCHLAN, Liverpool, merchant, dealer and chapman, March 15 and April 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Neal, Liverpool; Mourilyan & Co., Gray's-inn, London.—Fiat dated Feb. 2.

BENJAMIN MOSS, Hartlepool, Durham, draper, tailor, cap maker, oil-skin manufacturer, dealer and chapman, March 15 at half-past 11, and April 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Marshall, Durham; Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne.—Fiat dated March 1.

WILLIAM WARD and JOHN WARD, Leadgate and Iveston, Durham, grocers, shoemakers, leather cutters, dealers and chapmen, (carrying on business at Leadgate in the name of John Ward, and at Iveston in the name of William Ward), March 20 at 11, and April 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bramwell, Sunderland; Bolding & Pope, 9, Scott's-yard, Cannon-street, London.—Fiat dated Feb. 15.

SAMUEL WILLIAM GRAVES, Manchester, stock and share broker, dealer and chapman, March 22 and April 13 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Simpson, Manchester; Vincent, 9, King's-bench-walk, Inner Temple, London.—Fiat dated Feb. 27.

EDWARD EMANS, Liverpool, merchant, March 16 and April 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Fletcher & Hull, Liverpool; Cotterill, Throgmorton-st., London.—Fiat dated March 2.

Meetings.

Eusebius Langley, Hednesford, Cannock, Staffordshire, innkeeper, March 17 at 12, District Court of Bankruptcy, Birmingham, last ex.—*John Shields Gomme*, Angel-terrace, Hammersmith, Middlesex, cabinet maker, March 28 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. T. Haydon*, Wandsworth, Surrey, butcher, March 28 at 11, Court of Bankruptcy, London, aud. ac.—*Nicholas Butler*, Portsea-pl., Edgeware-road, Middlesex, wholesale stationer, March 28 at 12, Court of Bankruptcy, London, aud. ac.—*J. B. Firmin*, Little Chesterford, Essex, lime burner, March 28 at 11, Court of Bankruptcy, London, aud. ac.—*Robert Living*, Leadenhall-market, London, poultry salesman, March 29 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John Coles*, Launton, Oxfordshire, baker, March 30 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Trapp*, Warminster, Wiltshire, mason, March 30 at 11, Court of Bankruptcy, London, aud. ac.—*Martin Nunn*, Regent's-circus, Oxford-st., Middlesex, child-bed linen warehouseman, March 29 at 12, Court of Bankruptcy, London, aud. ac.—*Sam. L. Gaskell*, Congleton, Cheshire, clock maker, March 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*M. Stephenson*, Aycliffe, Durham, common brewer, March 29 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*B. L. Watson*, Pultney Hotel, Bathwick, Bath, Somersetshire, March 27 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Bartholomew Dowd*, Liverpool, tailor, March 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Thuell* and *Wm. Jeffery*, Buckfastleigh, Devonshire, woollen manufacturers, March 28 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Robert Jones*, Edenfield, Tottington Higher-end, Lancashire, cotton spinner, March 29 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*John Senior*, Salford, Lancashire, common brewer, March 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*J. Hunt*, Manchester, merchant, March 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Joseph Woodhead* and *John Woodhead*, Bradford, Yorkshire, worsted stuff manufacturers, March 29 at 11, District Court of Bankruptcy, Leeds, aud. ac. —*Joshua Wood*, *James Wood*, *Joseph Wood*, *Rich. Wood*, *John Wood*, and *Charles Wood*, Denby Dale, Cumberworth, Silkstone, Yorkshire, fancy cloth manufacturers, March 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*G. Price*, Wolverhampton, Staffordshire, printer, March 28 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*William Stiles*, Lisle-street, Leicester-square, Middlesex, coppersmith, March 27 at 12, Court of Bankruptcy, London, div.—*Abraham Duffield* and *Mark Duffield*, Slough, Buckinghamshire, ironmongers, March 27 at 11, Court of Bankruptcy, London, div.—*Alexander Rainey*, Regent-street, Piccadilly, Middlesex, estate agent, March 29 at 12, Court of Bankruptcy, London, div.—*Joseph Wilson*, Green's-end, Woolwich, Kent, grocer, March 29 at 11, Court of Bankruptcy, London, div.—*Saml. Wood Youngman*, Norwich, wine merchant, March 29 at 11, Court of Bankruptcy, London, div.—*Thomas Day*, Three Crown-square, Southwark, Surrey, secretary to the Southwark Savings Bank, March 29 at half-past 11, Court of Bankruptcy, London, div.—*Peter Clarke* the younger, Colchester, Essex, pawnbroker, March 29 at 11, Court of Bankruptcy, London, div.—*Wm. Henry Blackmore*, Dean-street, Soho-square, Middlesex, plumber, March 29 at 12, Court of Bankruptcy, London, div.—*Richard Thomas Tubbs*, Alderman-bury, London, and Shoreditch, Middlesex, silk agent, March 29 at 11, Court of Bankruptcy, London, div.—*L. A. Lewis*, Fleet-street, London, bookseller, March 29 at 1, Court of Bankruptcy, London, div.—*Michael Emanuel* and *Henry Emanuel*, Hanover-square, Middlesex, goldsmiths, March 27 at half-past 2, Court of Bankruptcy, London, div.—*J. Starkey*, Horseferry-road, Westminster, Middlesex, builder, March 27 at 2, Court of Bankruptcy, London, div.—*Thomas N. Brown*,

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Fetter-lane, pawnbroker, and Throgmorton-street, London, stock broker, March 29 at 11, Court of Bankruptcy, London, div.—*George Thomas*, Bristol, merchant, March 27 at 11, District Court of Bankruptcy, Bristol, div.—*Wm. W. Dunn*, Bath, *Wm. Keene*, Bath, *Henry B. Marriot*, Llanganoyd, Glamorganshire, and *Saml. Brewer Waring*, Bristol, brewers, March 30 at 11, District Court of Bankruptcy, Bristol, fin. div. sep. est. of *W. Keene*.—*Barnard L. Watson*, Bath, Somersetshire, March 30 at 11, District Court of Bankruptcy, Bristol, div.—*Francis Gill*, Manchester, dealer in hardware, March 29 at 11, District Court of Bankruptcy, Manchester, fin. div.—*Thomas Wrigley*, Halifax, Yorkshire, silk waste spinner, March 28 at 1, District Court of Bankruptcy, Manchester, fin. div.—*Matthew Stephenson*, Aycliffe, Durham, common brewer, March 30 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. — *Edward Briggs*, Castleton Mills, near Rochdale, Lancashire, hatter, March 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

W. Trapp, Warminster, Wiltshire, mason, March 30 at 11, Court of Bankruptcy, London.—*Robert Living*, Leadenhall-market, London, poultry salesman, March 29 at half-past 12, Court of Bankruptcy, London.—*John Coles*, Launton, Oxfordshire, baker, March 30 at 12, Court of Bankruptcy, London.—*Alexander M'Alley*, Romsey-terrace, Horseferry-road, Westminster, Middlesex, builder, March 29 at 12, Court of Bankruptcy, London.—*W. Broady*, Eastern-wharf, Adelphi, Strand, Middlesex, coal merchant, March 28 at 12, Court of Bankruptcy, London.—*J. Bennett*, High-st., Camden-town, Middlesex, artists' brush manufacturer, March 29 at 11, Court of Bankruptcy, London.—*Robt. Wm. Hunter*, Praed-street, Paddington, Middlesex, baker, March 29 at 1, Court of Bankruptcy, London.—*Thomas Poole*, South-square, Gray's-inn, Middlesex, money scrivener, March 29 at half-past 11, Court of Bankruptcy, London.—*Jeffery Mayn*, Rayleigh, Essex, auctioneer, March 29 at 11, Court of Bankruptcy, London.—*Wm. Henry Sheldrake*, Ipswich, Suffolk, boot maker, March 29 at 12, Court of Bankruptcy, London.—*John Faulkner*, Manchester, coach lace manufacturer, March 26 at 12, District Court of Bankruptcy, Manchester.—*Alexander Durenty*, Liverpool, merchant, March 27 at 11, District Court of Bankruptcy, Liverpool.—*Wm. A. Massey*, Liverpool, wood turner, March 28 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Okill*, Liverpool, insurance broker, March 28 at 11, District Court of Bankruptcy, Liverpool.—*Bartholomew Dowd*, Liverpool, tailor, March 27 at 11, District Court of Bankruptcy, Liverpool.—*Alex. M'Comb*, Liverpool, tailor, March 27 at 11, District Court of Bankruptcy, Liverpool.—*H. V. Stroud*, Spettisbury, Dorsetshire, miller, March 29 at 1, District Court of Bankruptcy, Exeter.—*G. L. Betty*, Taunton, Somersetshire, baker, March 29 at 1, District Court of Bankruptcy, Exeter.—*Thomas Hill*, Redditch, Worcestershire, builder, April 5 at 12, District Court of Bankruptcy, Birmingham.—*Thomas Potts*, Birmingham, metallic tube manufacturer, April 10 at 10, District Court of Bankruptcy, Birmingham.—*John Bishop*, Worcester, carpenter, April 4 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 27.

Andrew Smith, Mill-wall, Poplar, Middlesex, wire rope manufacturer.—*H. Kennedy*, Taunton, Somersetshire, draper. *Jas. Hunter*, King William-st., London, and Buckingham-st., Strand, Middlesex, merchant.—*John Bradbury*, Thaives-inn, Holborn, London, lace merchant.—*John S. Gomme*, Angel-terrace, Hammersmith, Middlesex, cabinet maker.—*William Maunder*, Peel-place, Kensington Gravel-pits, Middlesex, baker.—*John Blackburne*, Liverpool, tailor.—*O. W. King*, Hart-st., Bloomsbury, Middlesex, licensed victualler.—*John Thompson*, Sheffield, Yorkshire, victualler.—*H. D. Wilkinson*, Sheffield, Yorkshire, silver plater.—*Thos. Sneesum*, Rupert-street, Coventry-street, Middlesex, builder.

SCOTCH SEQUESTRATIONS.

David Thomson & Company, Glasgow, manufacturers.—*J. Hicks*, Glasgow, bookseller.—*George Ormistone*, Edinburgh, ironmonger.—*Thomson Bonar*, Edinburgh, stone merchant.—*John Findlay*, Auchterarder, schoolmaster.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Rob. Ewer, Balsham, Cambridgeshire, assistant to a grocer, March 30 at 3, County Court of Essex, at Saffron Walden.—*John Gallon*, Newcastle-upon-Tyne, smith, March 22 at 10, County Court of Northumberland, at Newcastle.—*Thomas Lambert*, Chichester, Sussex, rope seller, March 21 at 11, County Court of Sussex, at Chichester.—*H. Serace*, Trant, Sussex, wood dealer, March 22 at 10, County Court of Kent, at Tunbridge Wells.—*Robert Reeve*, Saint John's-common, near Hurst-per-point, Sussex, tailor, March 29 at 12, County Court of Sussex, at Cuckfield.—*Sam. M. Banks*, Handsworth, Staffordshire, plumber, March 12 at 2, County Court of Warwickshire, at Birmingham.—*J. Kinder*, Birmingham, butcher, March 12 at 2, County Court of Warwickshire, at Birmingham.—*George L. Whatley*, City-road, Finsbury, Middlesex, attorney-at-law and solicitor, March 23 at 10, County Court of Gloucestershire, at Newnham.—*Anthony B. Pike*, Pembroke Dock, Pembrokeshire, clerk in her Majesty's Royal Dockyard, Pembrokeshire, March 26 at 10, County Court of Pembrokeshire, at Pembroke.—*John Forster*, Newcastle-upon-Tyne, labourer, March 22 at 10, County Court of Northumberland, at Newcastle.—*William South*, Colwall, Herefordshire, lime burner, March 24 at 9, County Court of Herefordshire, at Ledbury. — *Elizabeth Williams*, widow, Liverpool, out of business, March 12 at 10, Liverpool District County Court, at Liverpool.—*John F. Reed*, Liverpool, professional singer, March 12 at 10, Liverpool District County Court, at Liverpool.—*Edward Gaskell*, Great Crosby, Sefton, Lancashire, omnibus driver, March 12 at 10, Liverpool District County Court, at Liverpool.—*Musgrave Todd*, Cockermouth, Cumberland, out of business, March 28 at 10, County Court of Cumberland, at Cockermouth.—*George Leach*, Saint Petrox, Pembrokeshire, clerk, March 26 at 10, County Court of Pembrokeshire, at Pembroke.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 20 at 11, *before the* CHIEF COMMISSIONER.

William Frampton, Earl-street East, Lisson-grove, Marylebone, Middlesex, carpenter.—*Chas. Hughes*, York-street, City-road, Saint Luke's, Middlesex, carpenter.—*Harriette Wesley*, Norland-square, Notting-hill, Middlesex, lodging-house keeper.

March 20 *at* 11, *before Mr. Commissioner* HARRIS.

Richard Baylis, Mary-street, Kingsland-street, Middlesex, draper's shopman.—*Robert Ponder*, Martha-st., Haggerstone, Middlesex, ironmonger.—*Henry Pearce*, Nottingham-place, Eagle-wharf-road, Hoxton, artificial flower maker.

March 20 *at* 10, *before Mr. Commissioner* LAW.

Sineta Lambourn, widow, Grosvenor-mews, Grosvenor-sq., Middlesex, out of business.—*Charlotte Tribe*, Uxbridge, Middlesex, milliner.

March 21 *at* 10, *before Mr. Commissioner* LAW.

J. Harding, Providence-buildings, New Kent-road, Surrey, grocer.

March 22 *at* 11, *before the* CHIEF COMMISSIONER.

George King, Woodhall-place, North Brixton, Surrey, tin plate worker.

March 22 *at* 11, *before Mr. Commissioner* PHILLIPS.

Charles F. J. Hibble, Dorset-street, Portman-sq., Middlesex, painter. — *Sarah Ann Mountford*, Wharf-road, Pritchard's-road, Regent's-canal, Hackney, boiler maker.

Saturday, March 3.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Robinson, Liverpool, canvasser for orders and deliverer of books, No. 70,555 C.; Henry Armstrong the younger, assignee.—*Abraham Bush*, William's-buildings, Cornwall-

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road, Lambeth, turner, No. 18,077 T.; William Tinker, assignee.—*John Hind*, Ardwick, Manchester, manufacturer of ginghams, No. 59,698 T.; William Akhurst, assignee.—*Edw. Sutcliffe*, Halifax, Yorkshire, shopkeeper, No. 70,427 C.; John Pearson and Israel Bairstow, assignees.—*Abel Ashford*, Dacthett, Buckinghamshire, farmer, No. 70,440 C.; Henry Byron Davies, assignee.

Saturday, March 3.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

William Martin, Chancery-lane, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Joseph Park*, Ivy-cottage, Hornsey-road, Islington, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Anthony Willett*, Jewin-street, London, coal merchant: in the Debtors Prison for London and Middlesex.—*James Shaw Womack*, Liverpool-terrace, Liverpool-street, Walworth-road, Surrey, tailor: in the Queen's Prison.—*Thomas Whitewood*, South-street, Greenwich, Kent, plasterer: in the Queen's Prison.—*John S. Morris*, Clarence-place, Camberwell-road, Surrey, coal dealer: in the Gaol of Surrey.—*John E. Bennison*, Clarence-place, Clapham-road, Surrey, coach builder: in the Gaol of Surrey.—*George Jos. Lawrence*, Penton-street, Clerkenwell, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Jos. Stammers*, Tavistock-terrace, Upper Holloway, Middlesex, barrister: in the Debtors Prison for London and Middlesex.—*Mark Cohen*, Morphet-terrace, Grove-street, Hackney, Middlesex, paper stainer: in the Debtors Prison for London and Middlesex.—*Fred. Cook*, Southernhay, Exeter, Devonshire, upholsterer: in the Queen's Prison.—*Frederick Studdy*, Queen's-row, Grove-lane, Camberwell, Surrey, not in any business: in the Queen's Prison.—*George Strickland*, King-street, St. James's, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*Daniel Peskins*, Grosvenor-mews, Grosvenor-sq., Middlesex, coach-smith: in the Debtors Prison for London and Middlesex.—*Thomas H. Bicknell*, Conduit-st., Regent-street, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Stephen W. Burridge*, Rotherhithe-st., Rotherhithe, Surrey, licensed victualler: in the Queen's Prison.

(On Creditors' Petition).

Richard Henry Tolson, Dorset-st., Portman-square, Middlesex, *major in her* Majesty's Army: in the Queen's Prison.

(On their own Petitions).

Elizabeth Flay, Calne, Wiltshire, innkeeper: in the Gaol of Fisherton Anger.—*Jane Pearce*, Bughley Warminster, Wiltshire, market gardener: in the Gaol of Fisherton Anger.—*Wm. Bowden*, Droylsden, near Manchester, labourer: in the Gaol of Lancaster.—*Philip Buckley*, The Hose, Hoylake, near Liverpool, butcher: in the Gaol of Lancaster.—*J. Cook*, Preston, Lancashire, coal dealer: in the Gaol of Lancaster.—*Wm. Ford*, Liverpool, barytes manufacturer: in the Gaol of Lancaster.—*S. Figgis*, Lancaster, out of business: in the Gaol of Lancaster.—*H. Harrison*, Manchester, beerseller: in the Gaol of Lancaster.—*John Shaw*, Halliwell, near Bolton-le-Moors, Lancashire, plumber: in the Gaol of Lancaster.—*J. Southam*, Moss-side, Manchester, coal agent: in the Gaol of Lancaster.—*Radcliffe Wood*, Lees-road, Oldham, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Hen. Williams*, Liverpool, artist: in the Gaol of Lancaster.—*Joseph Smith*, Chesterfield, Derbyshire, hatter: in the Gaol of Derby.—*R. Steer*, Willand, Devonshire, farmer: in the Gaol of St. Thomas Apostle.—*Ann Strike*, North Petherwin, Devonshire, farmer: in the Gaol of St. Thomas Apostle.—*William Hilder Taylor*, Lewes, Sussex, farmer: in the Gaol of Lewes.—*Jos. Adcock*, Sheffield, Yorkshire, razor strop manufacturer: in the Gaol of York.—*Geo. Brook*, Morley, near Leeds, Yorkshire, woollen cloth manufacturer: in the Gaol of York.—*Geo. Wm. Beckett*, Great Yarmouth, Norfolk, shoemaker.—*Hezekiah Carlton*, Worsley, near Leeds, Yorkshire, loom maker: in the Gaol of York.—*John Carr*, Liverpool, rope maker: in the Gaol of Lancaster.—*Utrick Walton Dickinson*, Shield-field, Newcastle-upon-Tyne, share broker: in the Gaol of Newcastle-upon-Tyne.—*John Howe*, Coventry, Warwickshire, baker: in the Gaol of Coventry.—*Geo. Hey*, Leeds, Yorkshire, shoemaker: in the Gaol of York.—*David Jones*, Chorlton-upon-Medlock, Manchester, grocer: in the Gaol of Lancaster.—*Joseph Osborn*, Bridgehouses, Sheffield, Yorkshire, dealer in cutlery: in the Gaol of York.—*Geo. Oxley*, Thorpe Willoughby, near Selby, Yorkshire, shoemaker: in the Gaol of York.—*Eli Pogson*, Rishworth, near Halifax, Yorkshire, cotton spinner: in the Gaol of York.—*Wm. Pickles*, Bradford, Yorkshire, plasterer: in the Gaol of York.—*Wm. Colling Hobson*, Harper-st., Theobald's-road, London, publisher of maps: in the Gaol of York.—*John Davis*, Newport, Monmouthshire, blacksmith: in the Gaol of Monmouth.—*Thomas Romans*, Roscars, near Selby, Yorkshire, potato salesman: in the Gaol of York.—*Hen. Goldthorp*, Tadcaster, Yorkshire, seedsman: in the Gaol of York.—*Jas. Hibbard*, Rushill, Englishcombe, Somersetshire, labourer: in the Gaol of Wilton.—*Wm. Hall*, Godmanchester, Huntingdonshire, grocer: in the Gaol of Huntingdon.—*Wm. Moore*, Sheffield, Yorkshire, silver fruit knife cutler: in the Gaol of Radford Peverel.—*Jos. Nash*, Market Rasen, Lincolnshire, commission agent: in the Gaol of Lincoln.—*Robert Thompson*, Bicker, near Boston, Lincolnshire, miller: in the Gaol of Lincoln.—*Henry Knight*, Birmingham, butcher: in the Gaol of Coventry.—*Moses Wheeler*, Wednesbury, Staffordshire, coachsmith: in the Gaol of Coventry.—*Robert Layton*, Fulbourn, Cambridgeshire, butcher: in the Gaol of Cambridge.—*Richard Mann*, Sedgley, Staffordshire, huckster: in the Gaol of Coventry.

(On Creditors' Petition).

Elizabeth Neale, Heigham, Norwich, Norfolk, widow: in the Gaol of Norwich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 20 *at* 10, *before Mr. Commissioner* Law.

Wm. Burgess, Church-place, Kensal-green, Harrow-road, Middlesex, baker.—*Rich. Harris*, Banington-road, North Brixton, Surrey, woollen factor.—*Geo. Jos. Pitman*, Upper Islington-terrace, Islington, Middlesex, attorney.—*Benjamin Brook*, Seymour-place, Bryanstone-square, Middlesex, corn merchant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at Newcastle-upon-Tyne, *March* 22 *at* 10.

Utrick Walton Dickinson, Newcastle-upon-Tyne, out of business.

At the County Court of Warwickshire, at Coventry, *March* 21 *at* 2.

James Vero, Atherstone, out of business.—*John Howe*, Coventry, grocer.—*Moses Wheeler*, Wednesbury, Staffordshire, coachsmith.—*Henry Knight*, Birmingham, butcher.

At the County Court of Gloucestershire, at Bristol, *March* 21 *at* 11.

Nathaniel Cook, Claremont-buildings, Easton-road, Gloucestershire, near Bristol, out of business.

Insolvent Debtors' Dividends.

John Garrard, High-st., Wandsworth, Surrey, grocer: 1*s.* 0½*d.* in the pound.—*Wm. Sam. Rumball*, Long-acre, Middlesex, coach maker: 10½*d.* in the pound.—*Wm. Collins Large*, Red Lion-square, Middlesex, coach body maker: 1*s.* 6*d.* in the pound.—*Sam. Griffith*, Runcorn, Cheshire, letter-press printer: 4*s.* 1*d.* in the pound.—*Jos. Clarke*, Michael's-place, Brompton, Middlesex, surgeon: 9½*d.* in the pound.—*Hen. Williams* the younger, Dover, Kent, grocer: 1*s.* 5½*d.* in the pound.—*Fred. Wilton Litchfield Stockdale*, Manor-place, Walworth, Surrey, retired clerk in the East India Company's Service: 4*s.* 4½*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

Samuel Okey, at Coventon's, Highbury-park, Islington: 2*s.* 1*d.* in the pound, (in addition to former divs. of 7*s.* 7*d.*)

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FRIDAY, March 9.

BANKRUPTS.

JOHN JAMES WESTON, late of Goudhurst, but now of Cranbrook, Kent, cattle dealer and dealer and chapman, March 21 at 11, and April 25 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Carritt & Osgood, Basinghall-street.—Fiat dated March 6.

THOMAS BEADLE, late of Upper Sydenham, Kent, victualler, but now of Croydon, Surrey, carpenter, March 19 at 2, and April 30 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Russell & Son, Martin's-lane, Cannon-street.—Fiat dated March 5.

FILDEN CHRISMAS, formerly of Salehurst, and Mountfield Park-farm, Mountfield, Sussex, but now residing at Isle of Harty, Kent, brewer, farmer, land bailiff, dealer and chapman, March 15 at 12, and April 12 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Bower & Son, Chancery-lane.—Fiat dated Feb. 27.

WILLIAM BUDDLE, Irongate-wharf, Paddington, Middlesex, timber merchant and saw mill proprietor, March 23 at 1, and April 20 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Bicknell & Co., 79, Connaught-terrace, Edgeware-road.—Fiat dated March 7.

WILLIAM GAMBIER WALKER, Newick, Sussex, apothecary, dealer and chapman, March 22 at 12, and April 20 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lewis & Verral, Lewes, Sussex; Palmer & Co., 24, Bedford-row, London.—Fiat dated March 6.

WILLIAM GALE, Slough, Buckinghamshire, coach builder and slop seller, March 16 at 11, and April 20 at half-past 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Tucker & Steavenson, Sun-chambers, Threadneedle-street.—Fiat dated Feb. 28.

FRANCIS BRAITHWAITE, Hereford, apothecary, March 20 and April 17 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Davis, Hereford; Motteram & Co., Birmingham.—Fiat dated Feb. 28.

JOHN DOWNS, Newcastle-under-Lyme, Staffordshire, fishmonger, provision dealer, dealer in game, poultry, and fruit, huxter, dealer and chapman, March 15 and April 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Reece, Birmingham:—Fiat dated March 2.

JOHN TILY, Cheltenham, Gloucestershire, chemist, dealer and chapman, March 27 and April 24 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Gauntlett, Lincoln's-inn-fields.—Fiat dated March 7.

JAMES LITTLE, Walcot, Somersetshire, draper and tailor, dealer and chapman, March 22 and April 23 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller: Sols. W. & C. Bevan, Bristol; White & Co., Bedford-row, London.—Fiat dated March 7.

JOHN ELLISON, Cricklade, Wiltshire, grocer, bacon factor, coal merchant, dealer and chapman, March 22 and April 23 at half-past 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Lovette, Cricklade, Wiltshire; Sabine, Bristol.—Fiat dated Feb. 22.

ROBERT STOCKER, Bath, Somersetshire, licensed victualler, dealer and chapman, March 22 and April 23 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Viner, Bath; Sabine, Bristol.—Fiat dated March 1.

GEORGE NORTH, Manchester, and Rusholme, Lancashire, calico printer, dealer and chapman, (lately carrying on business in copartnership with Samuel Farrar, at Manchester, as calico printers, dealers and chapmen), March 20 and April 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Taylor, Manchester; Johnson & Co., Temple, London.—Fiat dated March 1.

JOHN GILMORE, Hawthorn-grove, Durham, whiting manufacturer, March 20 at 12, and April 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Forster, Newcastle-upon-Tyne; Turnbull, Hartlepool.—Fiat dated Aug. 15.

WILLIAM HAMMOND AMBLER, Bishop Auckland, Durham, banker, draper, dealer and chapman, March 20 and April 20 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass Wakley; Sols. Trotter & Hodgson, Bishop Auckland; Jobling & Fleming, Newcastle-upon-Tyne; Bell & Co., Bow Church-yard, London.—Fiat dated Jan. 29.

Meetings.

A. G. W. Biddulph, John Wright, Henry Robinson, and *E. W. Jernyngham*, Henrietta-street, Covent-garden, Middlesex, bankers, March 23 at 12, Court of Bankruptcy, London, pr. d.—*James H. Davis*, Windmill-street, Haymarket, and Frith Manor Farm, Hendon, Middlesex, livery-stable keeper, March 23 at 12, Court of Bankruptcy, London, last ex.—*John De Levante*, Wood-street, London, shirt maker, March 23 at 11, Court of Bankruptcy, London, last ex.—*J. Swinburn*, Ledbury-terrace, Westbourne-grove West, Notting-hill, Middlesex, builder, March 23 at half-past 12, Court of Bankruptcy, London, last ex.—*Frederick Both Stacey*, Lincoln's-inn-fields, Middlesex, law stationer, March 29 at 12, Court of Bankruptcy, London, last ex.—*Wm. Wallace* and *George Dormand*, Sunderland, Durham, butchers, March 19 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*R. Fred. Gower* the younger, New Broad-street, London, and Valparaiso, Republic of Chili, merchant, March 30 at 1, Court of Bankruptcy, London, and. ac.—*H. Hughes*, Dover, Kent, linen draper, April 5 at 1, Court of Bankruptcy, London, and. ac.—*Wm. Allen*, Watton, Norfolk, innkeeper, April 12 at 12, Court of Bankruptcy, London, and. ac.—*James Crisp* the younger, Beccles, Suffolk, corn merchant, April 4 at 12, Court of Bankruptcy, London, and. ac.—*James Alexander*, Great Winchester-street, London, merchant, April 12 at 11, Court of Bankruptcy, London, and. ac.—*R. Woolfall*, Warrington, Lancashire, butcher, March 30 at 12, District Court of Bankruptcy, Manchester, and. ac.—*James Sothern Tonge*, Liverpool, coal proprietor, April 3 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Leonard Greening*, Stroud, Gloucestershire, saddler, April 3 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Caleb R. Bury*, Hulme, Manchester, drysalter, April 3 at 12, District Court of Bankruptcy, Manchester, and. ac.—*William Emmerson*, North Shields, Northumberland, banker, April 3 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*David Turner*, Sheffield, Yorkshire, innkeeper, March 31 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*George Hobson Steer*, Sheffield, Yorkshire, commission agent, March 31 at 10, District Court of Bankruptcy, Sheffield, and. ac.—*Michael Wilson*, Leeds, Yorkshire, grocer, April 2 at 12, District Court of Bankruptcy, Leeds, and. ac.; April 3 at 12, div.—*George Wagner*, Bloomsbury-square, Bloomsbury, Middlesex, draper, March 30 at 12, Court of Bankruptcy, London, div.—*T. Megarey*, Love-lane, Billingsgate, London, coal merchant, March 30 at 11, Court of Bankruptcy, London, div.—*A. A. Isaell* and *Alfred Cookes*, Little Queen-street, Holborn, Middlesex, varnish manufacturers, March 30 at 12, Court of Bankruptcy, London, div.—*John Cox* and *Frederick Heisch*, New-court, Crutched-friars, London, merchants, March 30 at 2, Court of Bankruptcy, London, div.—*Robert Russell*, Kingston-upon-Thames, Surrey, upholsterer, March 30 at 11, Court of Bankruptcy, London, div.—*John Burgess*, Harleyford-place, Kennington, Surrey, tailor, March 30 at 1, Court of Bankruptcy, London, div.—*V. S. Godfrey*, Duddington, Northamptonshire, miller, March 30 at 1, Court of Bankruptcy, London, div.—*John Morgan* the elder and *John Morgan* the younger, Hereford, and Glasbury, Radnorshire, woolstaplers, March 27 at 10, District Court of Bankruptcy, Birmingham, and. ac. and div.—*Thomas Willmot*, Moreton-in-Marsh, Gloucestershire, chemist, April 3 at 11, District Court of Bankruptcy, Bristol, div.—*John Senior*, Salford, Lancashire, common brewer, March 30 at 12, District Court of Bankruptcy, Manchester, fin. div.—*S. L. Gaskell*, Congleton, Cheshire, clock maker, April 2 at 11, District Court of Bankruptcy, Liverpool, div.—*R. Dale*, High Conside, Durham, draper, April 3 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Robert Jones*, Edenfield, Tottington Higher-end, Lancashire, cotton spinner, March 30 at 11, District Court of Bankruptcy, Manchester, fin. div.—*John Hunt*, Manchester, merchant, March 30 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Edward Briggs*, Castleton Mills, near Rochdale, Lancashire, hatter, March 30 at 1, District Court of Bankruptcy, Manchester, fin. div.—*Joseph Woodhead* and *John Woodhead*, Bradford, Yorkshire, worsted stuff manufacturers, March 30 at 11, District Court of Bankruptcy, Leeds, div.—*Joseph Gurney*, Sheffield, Yorkshire, ivory scale cutter, March 31 at 10, District Court of Bankruptcy, Sheffield, div.

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CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. S. Clarke, Dorking, Surrey, printer, March 31 at 2, Court of Bankruptcy, London.—*Thomas Roberts*, Minories, London, grocer, March 30 at 11, Court of Bankruptcy, London.—*R. Dale*, High Conside, Durham, draper, April 3 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Morrison*, Beiuliew-hill, Norwood, Surrey, coal merchant, April 2 at half-past 12, Court of Bankruptcy, London.—*A. Gardiner* the younger, Chepstow, Monmouthshire, timber merchant, April 3 at 11, District Court of Bankruptcy, Bristol.—*John Foster Taylor*, Bakewell, Derbyshire, grocer and flour dealer, April 3 at 12, District Court of Bankruptcy, Manchester.—*Theodore Fred. Clark*, Liverpool, milliner, April 2 at 11, District Court of Bankruptcy, Liverpool.—*Samuel Brownentt*, Liverpool, fruit merchant, April 2 at 11, District Court of Bankruptcy, Liverpool.—*Jos. L. Butler*, Liverpool, coal merchant, April 3 at 11, District Court of Bankruptcy, Liverpool.—*Edw. Perks*, Redditch and Stoke *Mills*, Worcestershire, needle manufacturer, April 10 at 10, District Court of Bankruptcy, Birmingham.—*Thos. Stanley*, Dudley, Worcestershire, and Tipton, Staffordshire, printer, April 4 at 12, District Court of Bankruptcy, Birmingham.—*Thos. Bourne*, Birmingham, coal dealer, April 4 at 12, District Court of Bankruptcy, Birmingham.—*William Foster*, Nottingham, hat manufacturer, March 30 at 11, District Court of Bankruptcy, Nottingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before March 30.

Stephen Bretton, Charlotte-street, Fitzroy-sq., Middlesex, upholsterer.—*Edmund Millward*, Cambridge, out of business.—*Wm. Sharpe*, Luton, Bedfordshire, plumber.—*Charles Sampson*, Chorlton-upon-Medlock, Lancashire, brewer.—*J. H. Llewelyn*, Strand, Middlesex, surgeon.—*Ed. T. Burling*, Blackheath-hill, Kent, carpenter.—*Robinson Ferens*, Durham, draper.—*Chas. Bertram*, Newcastle-upon-Tyne, merchant.

FIAT ANNULLED.

John Moulton, Manchester, timber merchant.

SCOTCH SEQUESTRATIONS.

James Smith, dec., Whitchester, Berwickshire.—*David Weir*, Tradeston of Glasgow, victualler.—*Wm. Orr & Co.*, Glasgow, wholesale cloth warehousemen.—*Robert Galbraith*, Glasgow, merchant.—*Archibald Marshall*, Glasgow, wood merchant.—*James Cockburn*, jun., Kinross, grocer.—*Alex. G. Gilkison*, Glasgow, ship broker.—*J. Motherwell*, Paisley, merchant.—*Chas. Grassick*, Buchaam, Strathdon, Aberdeenshire, farmer.—*Robt. Lochead* and *John P. Brown*, Glasgow, stationers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Barber, Southsea, Portsea, Hampshire, storehouse labourer in her Majesty's dockyard at or near Portsmouth, March 31 at 10, County Court of Hampshire, at Portsmouth.—*George Stickland*, Bridport, Dorsetshire, baker, March 20 at 1, County Court of Dorsetshire, at Bridport.—*Maria Spencer*, Brighton, embroideress, March 16 at 2, County Court of Sussex, at Brighton.—*Ann Richards*, widow, Portsmouth, tobacconist, March 31 at 10, County Court of Hampshire, at Portsmouth.—*John Armes*, East Dereham, Norfolk, baker, April 5 at half-past 11, County Court of Norfolk, at East Dereham.—*Jonas Johnson*, Bourton-on-the-Water, Gloucestershire, common carrier, March 17 at 10, County Court of Gloucestershire, at Stow.—*Wm. Linfoot*, York, bricklayer, March 24 at 9, County Court of Yorkshire, at York.—*George B. Richardson*, York, railway clerk, March 24 at 9, County Court of Yorkshire, at York.—*S. Mitchell*, Newbury, Berkshire, baker, March 26 at 10, County Court of Berkshire, at Newbury.—*George Cross*, Sampford Arundel, near Wellington, Somersetshire, farmer, March 30 at 1, County Court of Somersetshire, at Wellington.—*Henry M'Kenzie*, Farnham, Surrey, draper, March 26 at half-past 2, County Court of Surrey, at Farnham.—*E. James*, Farnham, Surrey, clock maker, March 26 at half-past 2, County Court of Surrey, at Farnham.—*Thomas Burkill*, Swinefleet, near Goole, Yorkshire, blacksmith, April 3 at 11, County Court of Yorkshire, at Goole.—*David Taylor*, Welshpool, Montgomeryshire, surveyor, March 22 at 10, County Court of Montgomeryshire, at Welshpool.—*Charles Clifford*, Burton-on-the-Water, Gloucestershire, builder, March 17 at 10, County Court of Gloucestershire.—*Edward Barnsley*, Wall-heath, Kingswinford, Staffordshire, contractor, March 23 at 3, County Court of Worcestershire, at Dudley.—*Thomas Salt*, Bilston, Staffordshire, licensed victualler, March 19 at 12, County Court of Staffordshire, at Wolverhampton.—*William Veal*, Wolverhampton, Staffordshire, locksmith, March 19 at 12, County Court of Staffordshire, at Wolverhampton.—*Thos. Hickman*, Wolverhampton, Staffordshire, builder, March 19 at 12, County Court of Staffordshire, at Wolverhampton.—*Sophia Maley*, Oxford, licensed victualler, March 13 at 2, County Court of Oxfordshire, at Oxford.—*George Kemp*, Wolverhampton, Staffordshire, assistant to a wine merchant, March 19 at 12, County Court of Staffordshire, at Wolverhampton.—*John Corbett* the elder, Bilston, Staffordshire, auctioneer, March 20 at 12, County Court of Staffordshire, at Wolverhampton.—*John Weston*, Bilston, Staffordshire, shoemaker, March 20 at 12, County Court of Staffordshire, at Wolverhampton.—*Geo. Thompson*, Hensington, near Woodstock, Oxfordshire, glove manufacturer, March 20 at 11, County Court of Oxfordshire, at Woodstock.—*James Stroud* the younger, Wootton, Oxfordshire, harness maker, March 20 at 11, County Court of Oxfordshire, at Woodstock.—*Thomas Cherry*, Norwich, shoemaker, March 26 at 10, County Court of Norfolk, at Norwich.—*Jonathan Chapman*, Great Grimsby, Lincolnshire, sawyer, March 20 at 10, County Court of Lincolnshire, at Louth.—*Hen. T. Morrell*, Southrepps, Norfolk, relieving officer, March 26 at 10, County Court of Norfolk, at Norwich.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 26 *at* 11, *before Mr. Commissioner* PHILLIPS.

Jas. Fred. Lackersteen, Ivy-cottage, Kennington-green, Surrey, clerk to the London Dock Company.—*Charles Bevis*, Fieldgate-st., Mile-end-road, Middlesex, windlass maker.—*Chas. White*, Duncan-st., Whitechapel, Middlesex, windlass maker.—*Geo. Lister Haynes*, Old Gravel-lane, Shadwell, Middlesex, windlass maker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 24 *at* 11, *before Mr. Commissioner* PHILLIPS.

Richard Priddy, Crown-hill, Croydon, Surrey, general dealer.—*Thos. Roles*, Blue Boar's Head-yard, King-street, Westminster, cab proprietor.—*Thos. R. Abbott*, St. George-st., St. George's in the East, Middlesex, beer-shop keeper.—*Anthony Willett*, Jewin-st., City, out of business.—*Henry Asher Davis*, John-st., Whitechapel, Middlesex, lamp cotton dealer.—*Wm. Grant Gore*, Margate, Kent, shipwright.—*Jos. Fundell*, Goldsmith's-row, Hackney-road, Middlesex, baker.

March 26 *at* 11, *before the* CHIEF COMMISSIONER.

George Loader, Stephen-st., Tottenham-court-road, Middlesex, out of business.—*Ed. Williams*, Market-row, Oxford-market, Middlesex, shoemaker.—*Jas. Prosser* the elder, Upper Berkeley-st., Portman-square, Middlesex, fruiterer.—*Henry Ramsden*, Wellington-st., Strand, Middlesex, assistant to a licensed victualler.—*Jas. Young* the younger, High-street, Newington, Surrey, upholsterer.—*Jas. Shaw Womack*, Liverpool-terrace, Walworth-road, Surrey, tailor.—*Thos. Murrell*, Berwick-st., Soho, Middlesex, grocer.

March 26 *at* 11, *before Mr. Commissioner* HARRIS.

John Miller, Wandle-place, Garratt-lane, Wandsworth, Surrey, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, *April* 9.

Wm. Cluff, Kingham, near Chipping Norton, Oxfordshire, farmer.

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At the County Court of Norfolk, at NORWICH CASTLE, *March* 26.

Geo. Wm. Beckett, Great Yarmouth, out of business.

At the County Court of Sussex, at LEWES, *March* 27.

Wm. Hider Taylor, Lewes, out of business. — *Nicholas Amable Dubois*, Brighton, confectioner.—*John Jacob Willard*, Brighton, out of business.

At the County Court of Norfolk, at the Guildhall, at NORWICH, *March* 26 *at* 10.

John Peck, Old Buckenham, commissioned horse dealer.

At the County Court of Norfolk, at the Shire Hall, at NORWICH, *March* 26 *at* 10.

Benjamin Bayes, Great Yarmouth, shopkeeper.

At the County Court of Staffordshire, at STAFFORD, *March* 26 *at* 12.

Sam. Rouse, Stafford, bookseller.—*John George Holmes*, Burton-upon-Trent, guard on the London and South-western Railway.—*Ed. Butler*, Stafford, in no business.

At the County Court of Yorkshire, at YORK CASTLE, *March* 24 *at* 9.

Thos. Pullan, Leeds, plumber.—*Edward Howell Powell*, Knaresborough, attorney at law.—*D. Schofield*, Greetland, near Halifax, small farmer. — *Mark Terry*, Batley, near Dewsbury, out of business.—*John Sharpe*, Westgate, Huddersfield, commission-agent.—*John Hargreaves*, Bradley, near Huddersfield, coal agent.—*Geo. Booth*, Bradford, out of business.—*John Jackson*, Middlesborough, shoe manufacturer.—*Geo. Oxley*, Thorpe Willoughby, near Selby, shoemaker.—*G. Brook*, Morley, near Leeds, woollen-cloth manufacturer.—*T. Romans* the younger, Roscars, near Selby, out of business.—*Eli Pogson*, Rishworth, near Halifax, out of business.—*Jos. Adcock*, Sheffield, razor strop manufacturer.—*Geo. Hey*, Leeds, shoe salesman.—*Wm. Pickles*, Bradford, out of business.—*Chas. Atkinson*, York, out of business.—*Hen. Goldthorp*, Tadcaster, out of business.—*Wm. Colling Hobson*, Newcastle-upon-Tyne, Northumberland, canvasser for maps.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—John Hunt Thursfield, of Wednesbury, Staffordshire; John Edward Colvill, Husband, of Rhyl, Flintshire; William Simmons Allen, of Handsworth, Staffordshire.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, at Westminster, has appointed Richard Underwood, Gent., of Hereford, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the city of Hereford, also in and for the county of Hereford.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—William Walter Legge, commonly called Viscount Lewisham, for the County of Stafford, (Southern Division), in the room of Henry John Talbot, commonly called Viscount Ingestre, now Earl Talbot, called up to the House of Peers; Thomas Conolly, Esq., of Cliff, Donegal, for the county of Donegal, in the room of Edward Michael Conolly, Esq., deceased.

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LONDON, MARCH 17, 1849.

Our readers will have seen in The Jurist of last week the abstract of Mr. Drummond's bill for a registration of transfers of real property. The bill itself has met with quite as unqualified disapprobation in the House of Commons as it has in our pages; and, though it is committed, probably it will never re-appear. If it does, it will be in a form so unlike its present form, that it will be no longer Mr. Drummond's bill. That is, however, of little consequence. It is clear that the country is not yet ripe for a general registry; but it is equally clear that a craving for a registry has commenced, and that it will go on increasing gradually till it reaches the point of clamorous hunger, and will demand to be satisfied. At present, the great point is to discuss, not what shall be the specific arrangements of any registry bill, but what shall be its general principle. The first and most difficult point to settle, and that on which men's minds appear most to differ, is, whether a registration should be voluntary or compulsory. We, who are somewhat of the laissez faire school, and consider land but as a form of transferable and marketable property, not differing much in its marketable incidents, if let alone, from other property, should be disposed to think it not of much importance whether a registry is voluntary or compulsory. If registry is to have any effect, it will be this—that a purchaser will be enabled to assure himself, by inspection of the registry, of all the existing dispositions of the ownership of any given hereditaments, assuming, of course, as the very basis of all efficient registration, that a purchaser is not to be affected by anything that does not appear upon the registry. Now, first, in reference to the registration of existing titles, the effect of a compulsory registry would be simply to distinguish, by the act of the Legislature, between good titles and bad or defective ones. The purchaser, looking at the registry, would see that the title to Blackacre was complete, and the title to Whiteacre incomplete, and he would bid accordingly. If there were not a compulsory registry, then, if he found Blackacre registered, and Whiteacre not, he would infer that the owner of Whiteacre had an incomplete title, and he would again bid accordingly. If the question be looked at with reference to the registry only of future transactions, then the effect of voluntary or compulsory registration would be this:—So far as the owners of any interest in a particular piece of land shall have availed themselves of the registry, so far will the value of that land be beneficially affected by the degree of certainty derivable from the fact: so far as there shall be an absence of registration, in so far will the value of the land be subject to and affected by the calculations applied to lands purchased under the existing system. The whole question resolves itself into one of increase or decrease of the market price of lands; and it may be thought that the vendors and purchasers of land will be able to make their own calculation, upon the inferences to be drawn from the fact of total or partial non-registration, if registration is accessible, with a degree of accuracy equivalent in its results to the certainty arising from actual universal registry. On the other hand, we cannot say that we see, in at least future compulsory registration, anything that can be either very dreadful or very hurtful to the proprietors of land.

The advantage of concealing one's transactions with his landed estate is more ideal than substantial, in almost all conceivable cases. Indeed, the concealment is, in general, only the same sort of concealment as that

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of the ostrich, when it hides its head in a corner that nobody may see its body. No man effectually conceals, for anything more than a fraction of time, his alienation, whether it be by sale or mortgage, of any property from which he derives a visible income, in any of the cases in which he can suffer material loss of credit or means—that is, in any of the cases where the mortgage or sale is effected, not for the purpose of mere conversion, but for the purpose of some application of the equivalent, which diminishes the means of expenditure of the seller.

If a man outruns, and mortgages to pay off heavy debts, he never can, in fact, conceal the transaction. If a man of 10,000*l.* a year of landed property sells any of his land for the purpose of having his property in the funds, or in other investments, he may conceal the transaction; but it is not in such cases that he troubles himself to do so. It is only when the consequences of alienation are a descent in pecuniary resources, that a man desires to conceal the alienation; and then, we assert, that he very rarely can conceal the alienation for any material portion of time—that is, if the property aliened was a property from which he derived a present income.

The dread, then, of publicity from a registry is one which, we apprehend, is only well founded in regard to transactions of a kind which cannot, even in the present state of things, be kept shrouded from publicity, and is, therefore, scarcely an element to be considered in the question. On the whole, we are, therefore, inclined to think, that, though much may be said with *apparent* force for and against compulsory, or for and against voluntary registration, it is really a matter of very little consequence, and may be safely left to the wishes or the fancies of those who are and those who would be landed gentlemen.

The next point of importance is, whether, if a registry exists, it should be universally accessible; and this we conceive to be a question of a very different kind. If a registry is only to be accessible on shewing a primâ facie interest in examining it—as, that one is interested in an estate by contract to buy it or otherwise—the result would be to put the honest public in a worse position than they now are, and to put it in the power of the dishonest public only to make a mischievous use of the registry. It may be well taken for granted, that no man for his amusement will go to a registry-office and pay fees to read tiresome deeds and entries. Every man who goes to inspect a registry goes because he has an interest, or because he has acquired, or has contracted to acquire, or bonâ fide wishes to acquire, some interest in the land, or because he wishes to pry into his neighbour's title, and to do what is called pick a hole therein. In the first class of cases he desires to make an honest use, in the second a dishonest use, of the registry.

It cannot be pretended, that the first sort of inquirers should be incumbered in their search by any unnecessary vexation or impediments; so to incumber them would be not only an injustice to them, but clearly an injury to the value and marketability of land. In practice there are already two classes of titles which are publicly registered and accessible to everybody; we mean wills and specifications of patents. And though occasionally, perhaps, there may be instances of persons improperly using those registries, for the purpose of finding out flaws in titles, and making their bargain with the victim accordingly, yet we believe that such instances are so rare as to be quite an exception to the rule.

With regard to the class of persons who would make a trade of inspecting registries for the purpose of finding out flaws in titles, it may be safely assumed, that they would not hesitate at finding means to evade any rule requiring a primâ facie claim to search to be shewn which should not be so stringent as to be a heavy tax upon the search of the bonâ fide inquirer. We apprehend, therefore, unless a registry were perfectly accessible to the public at only such moderate charges as must be necessary or proper, by way of producing a revenue to the office, it would be worse than useless.

ON THE CUSTODY OF INFANTS.

The jurisdiction of the Court of Chancery over the persons of infants has been derived by all the great writers on this subject directly from the Crown, by an implied delegation of its authority, as parens patriæ, to assume the care of those who are unable to care for themselves*.

This definition has been repeatedly recognised and acted upon in the early cases†; and even in a very recent one, (*In re Spence*, 2 Phill. 247), Lord Cottenham asserted the jurisdiction to be as stated above, in the plainest language. Nevertheless, the inconvenience of exercising this authority has been occasionally so strongly felt, that some judges have seemed desirous to limit the power of the Court to take the custody of an infant's person from his natural guardian, even to give it to the mother, to cases where some pecuniary advantage is secured to the infant as an inducement for the alteration. Too many protestations cannot be made against any departure from principle in these cases. The consequences of a restriction of the authority of the Court might produce great injustice. Suppose a case that has often happened, that both father and mother are equally unable to procure an actual settlement to be made upon their infant children; that the father is a man of immoral habits, improvident, houseless, and cruel to his children, while the mother, who is desirous to have the custody and management of them apart from her husband, is, though poor, industrious, and in every way better fitted to care for all their temporal and spiritual interests; is the Court, in such a case, to refuse its interference? If the jurisdiction be, as it is stated, the delegated authority of a parens patriæ, under such circumstances, surely, the Court would be inclined to interfere. Lord Cottenham, in the recent case above referred to‡, says, "I have no doubt about the jurisdiction. *The cases in which this Court interferes on behalf of infants are not confined to those in which there is property.* This Court interferes on behalf of infants, qua infants, by virtue of the prerogative which belongs to the Crown as parens patriæ, and the exercise of which is delegated to the Great Seal." And the grounds for such interference he stated to be, "misconduct on the father's part of such a nature as to contaminate and corrupt the morals of his children."

This dictum of his Lordship is supported by numerous cases, some of the most important of which are referred to in their order.

* Story's Equity Jurisprudence, s. 1334; 2 Fonbl. Eq. Bk. 226, n. (*a*).

† See *Eyre* v. *Shaftesbury*, (2 P. W. 118); *Wellesley* v. *Beaufort*, (2 Russ. 1).

‡ 2 Phill. 247.

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It will be observed, that, in most of them, the infants were entitled to property in settlement; but this circumstance was not relied upon in any case, as a ground for the exercise of the jurisdiction.

It is obvious, that, unless the infants or their parents had property, they would seldom venture to institute proceedings in Chancery, so that the case we have supposed cannot often be brought before the notice of the Court. The question of custody has, however, lately been raised, under circumstances such as have been hypothetically stated above; and it is worthy of consideration, whether or not that was a case for interference.

In *Cruise* v. *Orby Hunter*, (2 Bro. C. C. 499), the petition stated the father to be in embarrassed circumstances, and that his infant son was entitled to considerable property, and to a maintenance by his grandfather's will, and prayed that the father might be restrained from taking the infant abroad, or improperly interfering with his education, which was directed by his mother, who lived separate from her husband. Affidavits on either side imputed gross charges to both father and mother. There seems not to have been any offer to support the child on the mother's part, but the Court would not allow the father to interfere with him, and plainly asserted its jurisdiction.

In *Ex parte Warner*, (4 Bro. C. C. 101), the infants petitioned that a guardian might be appointed to have the care of their persons and their education during their minority, and that their father might be restrained from removing them from the schools and situations in which they were placed, on the grounds that the father had been guilty of cruelty to the mother, and was insolvent, and unable to provide for the petitioners, having no settled place of abode. It appeared that the infants were entitled to a little property, and the Court, without requiring any settlement to be made upon them, granted the prayer.

In *Wellesley* v. *Beaufort*, (2 Russ. 1), Lord Eldon would not give the custody of the infants to the father on his petition, it being proved that he was grossly immoral, and taught his children habits of immorality, and that he was living, up to the time of the petition, in open adultery with the wife of another man; but the mother being dead, he referred it to the Master to approve of some person to take charge of them. The children seem to have been entitled to settled property; but the Lord Chancellor declared himself uninfluenced, in such a case, by pecuniary considerations; and, in answer to the objection, that the Court only exercised this jurisdiction where it had property, said, "It was not from any want of jurisdiction that the Court does not act, but from a want of means to exercise its jurisdiction, because the Court cannot take upon itself the maintenance of all the children in the kingdom."

In *De Manneville* v. *De Manneville*, (10 Ves. 52), the wife had left her husband, taking with her their infant child, whom her husband afterwards forcibly recovered; and the petition was, that the infant might be restored to its mother, or, at least, that the father might be restrained from taking it abroad. It was sworn, that the husband had ill-used his wife, for the purpose, it seems, of compelling her to make a will in his favour of certain property which she was empowered to appoint, that he was irreligious, and held jacobinical opinions on political matters. The infant was entitled to some property, settled upon it, after the death of its father; and Lord Chancellor Eldon, asserting the jurisdiction of the Court, made an order, restraining the father from removing or doing any act towards or for the purpose of removing the child from the jurisdiction.

In *Whitfield* v. *Hales*, (12 Ves. 492), the petition was on behalf of infants, for a reference to the Master to appoint a guardian, and a proper allowance for maintenance. The affidavits alleged gross ill-treatment and cruelty towards the infants by their father, for which he had been prosecuted and imprisoned. Under these circumstances, the order applied for was made.

In *Shelly* v. *Westbrooke*, (Jac. 266, n.), the infants were living with their maternal grandfather, who had settled 2000*l*., 4*l*. per Cents, upon them. The father was restrained from taking them away, because it was proved that his principles were atheistical, and his conduct immoral. And even though it seems to have been represented, that the pecuniary interests of the children would suffer, the Lord Chancellor declared, that he would not sacrifice to such considerations interests which he deemed of higher importance.

The Court has even interfered for considerations of much less weight, as, for example, in the case of *Lyons* v. *Blenkin*, (Jac. 245), where a grandmother provided by will for her grandchildren, and attempted to appoint their aunt their guardian, to whom she also gave the management of the property devised to the grandchildren. The father, having permitted his children to remain in their aunt's care for many years, was not allowed to remove them without some good reason, as he was not able to educate them in an equally advantageous manner. In another case, (*Anon.*, Jac. 264), the petition was by the mother, who was separately entitled to considerable property, and living apart from her husband, that the infants might be placed with her to be educated as the Court should approve, on the ground only that the husband was not in circumstances which enabled him to educate them, and the mother offered to provide for their maintenance. The Court refused the application, saying, that when it interfered against the father upon pecuniary considerations only, they must be solid considerations, not merely expectations. We must admit this to be a reasonable distinction, and it is no doubt just that the father should not be deprived of his children on the grounds of poverty alone. But this decision can afford no argument for a similar condition, where the father has by his conduct shewn himself unfit to have the care of his children. If the Court cannot in such a case interfere with the custody of infants, simply because the father is an improper guardian, without entering into any considerations of pecuniary advantage, it would seem that its jurisdiction over the persons of infants has been wrongly defined.

The decision to which these observations particularly refer is one of Vice-Chancellor Knight Bruce, in the case of *In re Fynn*, (11 Jur. 713). In that case, infants residing with their mother and grandmother, at the house of the latter, petitioned by their grandmother, as next friend, that some proper person might be appointed guardian, and the custody of the children committed to him under the direction of the Court, and that their father might be restrained from recovering possession of them by habeas corpus, or in any manner interfering with them without leave of the Court.

The grounds stated for the application and supported by affidavits were, fraudulent representations of the father made to induce the marriage, cruelty to his wife, blasphemous and obscene language, drunken habits, distress from his extravagance, and ill-treatment and neglect of the children after the wife had left him. Some of these allegations were denied by affidavits by and on behalf of the father; but sufficient proof of their truth was given to induce the Vice-Chancellor to say, that his strong inclination was, to interfere with the father's power over his children, more especially as it appeared he was unable to educate or maintain them; and, to use the language of the learned judge, "to restore the boys to him, as it seems to me, would be, in all human probability, to consign them to unsettled and irregular modes of living, adverse in the highest degree to culture and discipline, to say nothing of the

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occasional, if not the constant, privations of the ordinary comforts, perhaps decencies, of life in their class in society, to which, in my judgment, they would be very likely to be exposed." And, again, after reading some letters of the father, his Honor remarks, "I must certainly say, that, on the whole of the evidence taken together, he appears to be a person to whose guardianship or care any reasonable man having an option would strongly object to entrust children." And again, "Mr. Fynn's clear unfitness, in my judgment, to be guardian of his children, if he were not their father, has been exhibited in such a manner, arises from and exists in such a state of circumstances with respect, not merely to his means of supporting his children, but with regard to that and other weighty and important considerations, such as to render it incumbent on the Court, for the sake of the children, to interfere against their father." Yet a few sentences further on, his Honor says, "I believe that I ought to require either an actual appropriation of property or income, or some security." And the only interference which seemed proper to his Honor was an interim order, "without prejudice to any proceedings under the writ of habeas corpus or otherwise at law, for the purpose of obtaining possession of the infants," in pursuance of which proceedings Mr. Baron Alderson shortly afterwards directed the delivery of the infants to their father.

This case raises the question of the jurisdiction exactly in the manner supposed above. Neither the father nor mother seem to have been able to make any settlement upon the children. The father was shewn to be unfit to have the care of them; and the question was not between him and a stranger seeking to be appointed guardian, but whether, under these circumstances, the Court would deprive the mother of her children, and give them into the custody of such a father.

Now, if the jurisdiction of the Court to interfere be independent of any pecuniary consideration, this seems to have been an occasion for exercising it; but if the decision in this case is to be regarded as a precedent, it will in future be idle to deny, that questions of property are in these cases after all of paramount importance.

E. E. K.

REGISTRATION OF MUTUAL INSURANCE SOCIETIES.

The singular blunder committed by one of the "amenders" of the bill for the Joint-stock Companies Registration Act, in expressly extending its operation to mutual assurance societies, without providing for the peculiarities of the constitutions of such companies, has been much discussed. But some companies on the mutual principle have been registered under the act; and until the appearance of an article on the subject in The Law Magazine, (vol. 9, N. S., p. 38), we did not know that any one thought it "impossible for an assurance company, starting on the pure mutual principle, to comply with the requisitions of the act, necessary for obtaining a certificate of complete registration." As the difficulty has since been actually raised and insisted on in practice, it may be useful to consider whether it is really insuperable. There is a little quibble involved in the words "pure mutual principle," for no company ever *starts* on that principle in the sense in which the expression is here used. A fund is always subscribed at the commencement for preliminary expenses, which is intended to be subsequently repaid out of the joint or mutual fund. But waiving this, we think that it is perfectly easy to start and completely register such a company, in strict accordance with the requisitions of the act. We think that the clauses of the act which seem to make indispensable things inconsistent with the mutual assurance principle, are not so stringent as they have been represented to be; and even if they were to be so construed, might be literally complied with by means of apt provisions in the deed of settlement, involving formal, but not real, departure from the strict mutual principle.

Let us first see what are the apparent difficulties. The act applies to (among others) "every joint-stock company as hereinafter defined," established for the purpose of assurance or insurance; and the term, "joint-stock company," under the tyranny of an interpretation clause, is made to include "every assurance company or association for the purpose of assurance or insurance on lives, &c., whether joint-stock companies or mutual insurance societies, or both." Nothing can be plainer. The word "subscriber," when used in the act, means "any person who shall have agreed in writing to take or have taken any *share* in a proposed company, or in a company formed, and who shall not have executed the deed of settlement or a deed referring thereto." The word "shareholder" means (if the context or subject-matter is consistent with such meaning) "any person entitled to a *share in* a company, and who has executed the deed of settlement or a deed referring to it; or in the case of mutual benefit societies, any person who shall be an *assured member* thereof." (See sect. 26, where this definition appears to have been forgotten).

There is nothing in the requisitions for provisional registration calling for remark. A return of the names of the "subscribers" is essential only when there are any.

Prior to complete registration, it is necessary (sect. 7) to "form the company" by a deed of settlement, in a schedule to which are to be set forth certain particulars; among which are—

"4. The amount of the proposed capital, and of any proposed additional capital, and the means by which it is to be raised."

"6. The total amount of the capital subscribed or proposed to be subscribed at the date of such deed." (What does this mean, if it does not mean the same as No. 4? Mr. Taylor, the assistant registrar, says, it appears to mean the amount of all the shares then taken. It cannot mean that, we should think. *Does* it mean the amount of the first call?)

"7. The division of the capital *(if any)* into *equal shares*, and the total number of such shares, each of which is to be designated by a separate number in a regular series."

8. The names, &c. of all the then *subscribers*, according to the information possessed by the officers of the company, (that is to say, the names of all the persons, if any, who have agreed to take shares, and have not executed the deed of settlement. If all who have agreed to take shares have also executed the deed of settlement, there will be no subscribers).

9. The number and distinctive numbers of the shares which each subscriber holds, distinguishing those on which the deposit has been paid.

The deed must contain a covenant on the part of every shareholder to pay up the amount of the instalments on the shares taken by him, and must make provision for *such* of the purposes set forth in Schedule A. to the act, *as the nature and business of the company shall require*, and must be signed by at least one-fourth in number of the persons who, at the date of the deed, have become subscribers, and who shall hold at least one-fourth of the maximum number of shares in the company. ("Maximum number of shares" meaning, we presume, in the peculiar phraseology which has been imported into this act, "shares actually subscribed for?" for if that be not the meaning, then no company with capital can be completely registered until one-fourth of the maximum capital has been

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subscribed for—a rule which has certainly not been enforced). We need not enter minutely into the provisions mentioned in Schedule A., as such of them only are to be made as the nature and business of the company shall require, which seems to be a permission to a mutual insurance company (as the act allows such a company to exist) to omit those which do not suit its constitution. Among the provisions mentioned in that schedule is one "for insuring that each shareholder shall have a vote," and for prescribing "the number of shares or the amount of interest" by which directors are to be qualified.

Sect. 28 of the act disqualifies any person from being or acting as director who does not hold in his own right at least *one share* in the company.

These are all the provisions of the act to which it is material to advert. The inapplicability of most of them to a mutual insurance society is obvious. The principal difficulties arise out of the requisition that *the deed is* to be signed by at least one-fourth in number of the subscribers, who shall hold at least one-fourth of the maximum number of shares in the company; and that every director shall hold at least one share in the company. Everything turns upon the meaning of the word "share," which is not one of the words explained in the interpretation clause. In some parts of the act it seems to be used to denote exclusively a share in a joint stock or capital, as where the word "shareholder" is defined to mean a person entitled to a share in the company, and who has executed the deed of settlement; or, in the case of mutual benefit societies, any person who shall be an assured member thereof. Here the "share" held by a person interested in a joint stock or capital seems to be distinguished from the interest of a member of a mutual society in the concern; but this use of the word does not imply that it is incapable of a more extended meaning. The meaning is, that, in the case of a company with joint stock, the shareholder must have executed the deed; in the case of a mutual benefit society, it is sufficient if he be an assured member. No meaning is expressly appropriated to the word. When it is necessary to denote a title to an aliquot part of the joint capital, the word is used in *the sense of a share* of capital; but that is not the only *meaning* of which it is capable. A share is not necessarily an aliquot part of anything. It may mean a portion incommensurable with any other portion; and it may be used with reference to an association to denote other things than a portion of a joint capital. A share in the profits, a share in the benefits, a share in the risks, a share in the management, of any concern, are familiar expressions, and may mean any kind, amount, or degree of participation in the things spoken of. In the Amicable Society, the interest of the insured members is expressly divided into "shares," each of which is guaranteed to produce at least 200*l*. In the Equitable Society, on the contrary, the use of the word "share" has been avoided to the extent of prudery. Bearing in mind, then, that the act expressly takes notice of the distinction between insurance societies with joint stock (a term there used in the restricted sense of capital divided into equal shares) and pure mutual insurance societies, that it expressly requires the complete registration of both kinds of societies, and that, when it does prescribe the division into equal shares of the capital of a company, it adds the words "if any," it is plain, that when the word "share" is used in the act with reference to a pure mutual insurance society, it must be in some other sense than that of an aliquot part of a subscribed capital divided into equal shares. From the definition of the word "shareholder" with reference to such societies, it must be inferred, that by a *share* in such a society is meant the interest of an assured *member*, not the interest of every *person* assured by the society, but the interest of every person who, by the rules of the society, is not only insured, but also a member of it.

Understanding, then, the word to have this meaning, when applied to a mutual society, and to have the meaning of "aliquot part of a divided capital" only where it is applied to an ordinary joint-stock company, and remembering that the act expressly suggests that there may be societies within its operation without any capital to divide, let us see how the provisions which are supposed to create a difficulty must be applied.

The word "subscriber" is defined to mean, any person who shall have agreed to take any share in a proposed company, and shall not have executed the deed of settlement. This may include a person who has agreed to become an assured member of a mutual society, although, from the subsequent definition of a "shareholder," it is rather to be inferred that mutual societies were not contemplated in the former definition. In establishing such societies, however, the safe course will be, to assume that all persons who, at the date of the deed of settlement, have agreed to become assured members, are subscribers within the meaning of the act, and to return their names for provisional and complete registration accordingly.

The fourth particular, required by sect. 7 to be set forth in the schedule to the deed of settlement, is the amount of the proposed capital, and of any proposed additional capital. This cannot mean the funds to be raised by the contributions of the members of a mutual company, which are not capital, in the ordinary sense of the word, and are, necessarily, of indeterminate amount; but it must mean a capital of fixed amount divided into equal shares; and if there is to be (as the act contemplates there may be) no such capital, the return, in such case, will be simply, nil. The same observation disposes of Nos. 6 and 7. No. 7 was intended to lay the foundation of a register of shareholders, for which, as we shall presently shew, no provision appears to be made in the case of a mutual society—a defect in the act—but no obstacle to the registration of such societies under it.

The return to No. 8 will also be 0, if there are no subscribers, which may happen even in the case of an ordinary joint-stock company.

No. 9 evidently refers to subscribers to an ordinary joint-stock company; and, if all the persons who have agreed to take shares have also executed the deed of settlement, the return to this will, even in the case of such a company, be 0, though it is more than probable, that, in this requisition, and in the preceding one, shareholders as well as subscribers were intended. It will be as well, however, in the case of a mutual society, to return the names of all persons who, at the date of the deed, have agreed to become assured members, and to appropriate to them and retain distinctive numbers for their intended policies.

The deed must contain a covenant by every shareholder to pay up the amount of the instalments on the shares taken by him. This must mean only when there are any such instalments to be paid. If (as the act contemplates) there is no capital, or if the full amount of shares are, and, by the terms of the deed of settlement, must be fully paid up before a subscriber becomes a shareholder, there can be no covenant to pay instalments. Such covenant, then, is not essential in every case, and, therefore, (though an argument may perhaps be raised on this point), the requisition only applies when there is to be a liability to pay "calls;" and premiums or payments for mutual insurance are not "instalments" within its scope. But the deed of settlement of a mutual insurance company generally contains a provision for making calls on members in the purely hypothetical case of the fund raised by the regular premiums being insufficient to pay the claims on policies which have fallen in.

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The deed must be signed by at least one-fourth in number of the persons who, at its date, have become subscribers, and who shall hold at least one-fourth of the maximum number of shares.

There is no maximum number of shares in a mutual society, and if there can be no "subscribers" to a pure mutual society, in the sense of the act, (and every clause in which the word is used strengthens our suggestion, that the definition does not contemplate the proposed members of a mutual society), then this requisition cannot apply to such a company.

If a share in a pure mutual society means, as we think we have shewn it must mean, the interest of an assured member, then sect. 28 merely requires that every director in such a society must be an assured member—a reasonable and convenient requisition.

We have now discussed, and, we think, satisfactorily disposed of, all the objections which have been urged to the possibility of applying the Registration Act to a mutual society; objections which have fortunately not found any favour in the Registrar's office. But, even if we grant to the objectors that the word "share" is used throughout the act exclusively in the sense of an aliquot part of a fixed subscribed capital, and that every company to be registered must possess such capital, and be worked by means of such shares, we still say that a company may be registered on the purely mutual principle. We have not space for, nor is the objection worth, any detailed discussion of this point, but the following outlines of clauses to be inserted in the deed of settlement of such a society will sufficiently explain our meaning:—

"Capital, 500*l.*, to be divided into 480,000 shares of one farthing each."

"No person to become a shareholder or assured member without taking a policy to the amount of £—— at the least; and also a share or shares in the capital of 500*l.*, and paying up the full amount of such share or shares."

"The first premium to be paid by an insured member to be the difference between the amount mentioned in the tables and the amount paid up by such member in respect of the share or shares taken by him on such insurance."

"No share to be held apart from the policy taken therewith during the subsistence of such policy."

"No dividend to be declared or paid on any share, otherwise than by way of bonus on the policy taken."

"The payment, satisfaction, forfeiture, or discharge of a policy to be deemed to be a satisfaction of all claims of the holder of the share or shares taken therewith, which share or shares shall thereupon revert to the society, and may be re-allotted on the grant of a new policy or new policies to any other person or persons."

Two or three enactments, which are supposed to impose inconvenient restrictions on the conduct of the business of a mutual assurance society, even after it has passed the ordeal of the Registrar's office, remain to be considered.

Sect. 11 requires half-yearly returns of transfers of shares and of persons who have otherwise ceased to be or become shareholders—that is to say, in the case of a mutual assurance society, every act within the knowledge of the director, by which a person becomes or ceases to be an assured *member*, must be returned; but no return is necessary of a transfer of the benefit of a policy in equity, with or without a power of attorney, not amounting to a charge of membership. By sect. 13, no transfer of a share is to have validity, for the purpose of constituting the transferee a shareholder, or entitling him to receive any part of the profits of the concern until it has been returned. Here, again, is no restriction upon transferring the benefit of a policy, consistently with the constitution of the society, without making or purporting to make a transfer of the *membership;* nor is there any restriction, even in the case of an ordinary joint-stock company, upon an equitable assignment of the dividends upon a share or shares, with a power to sue in the name of the transferor. The same observation applies to the enactment in the 26th section, that "no shareholder shall be entitled to receive any dividends or profits, or to act as shareholder, until he has executed the deed of settlement, or some deed referring thereto, and has paid up all calls due from him." Every assured member of a mutual society must, therefore, execute the deed of settlement, or some deed referring thereto, which deed is not required to be delivered to or kept by the company, and may, therefore, be the policy itself; or, in case of assignment, the deed of assignment, containing a covenant on the part of the assured to abide by the provisions of the deed of settlement, (such covenant, as a necessary incident to the transaction, not rendering the policy or assignment liable to any additional stamp).

The provisions for enforcing payment of calls need not be discussed; they are wholly inapplicable to mutual insurance societies.

London Gazettes.

TUESDAY, March 13.

BANKRUPTS.

WILLIAM SIMMONS, Piccadilly, Middlesex, tobacconist, March 20 at 1, and April 24 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Roberts, St. Martin's-court.—Fiat dated March 10.

EDWARD LEWIS BLACKMAN, late of Gracechurch-st., London, tailor and outfitter, but now of Lombard-street, London, tailor, dealer and chapman, March 20 at 11, and April 24 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Wright & Bonner, 15, London-street, Fenchurch-st.—Fiat dated March 9.

HENRY PEET, Ludgate-hill and Newgate-street, London, printer and stationer, March 22 at 11, and April 30 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Vaughan, Furnival's-inn, London.—Fiat dated March 9.

THOMAS WITHERS, St. Dunstan's-hill, London, wine merchant, March 22 at 1, and April 30 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Dolman, Jermyn-street.—Fiat dated March 3.

WILLIAM ATKINSON WARWICK, late of Chesterton, Cambridgeshire, and Hobson-pl., Sidney-st., Cambridge, printer, publisher, and newspaper proprietor, but now of Chesterton, Cambridgeshire, out of business, March 22 at 11, and April 30 at 1, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. J. & C. Cole, Adelphi-terrace.—Fiat dated March 10.

ALFRED MORECRAFT, Marlborough, Wiltshire, draper, March 21 at half-past 12, and April 26 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Reid & Co., Friday-st., Cheapside.—Fiat dated March 12.

DAVID LEES, Wednesbury, Staffordshire, coach-step and coach-iron-work manufacturer, dealer and chapman, March 27 and April 17 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Corser & Underhill, Wolverhampton: Motteram & Co., Birmingham.—Fiat dated Feb. 26.

JOHN FRAMPTON, Cerne Abbas, Dorsetshire, formerly a glove manufacturer and money scrivener, but now a money scrivener only, March 23 at 1, and April 18 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Slade & Vining, Yeovil; Terrell, Exeter; Cragg & Joyce, 22, Bedford-row, London.—Fiat dated Feb. 23.

JOHN CAWKER, Okehampton, Devonshire, innkeeper, timber dealer, dealer and chapman, March 23 at 1, and April 18 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. W. & J. M. Burd, Okehampton; Terrell, Exeter; Messrs. Baxters, Lincoln's-inn-fields, London.—Fiat dated Feb. 27.

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MATTHEW ROE, Coventry, Warwickshire, draper, March 29 and April 21 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Wilmot, Coventry.—Fiat dated March 3.

HENRY GRANT, Cardiff, Glamorganshire, clock and watch maker, jeweller, dealer and chapman, March 27 and April 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Bird, Cardiff; Rowland & Co., 38, Threadneedle-st., London.—Fiat dated March 7.

JOHN STANBURY COBBLEDICK, Whitstone, Cornwall, draper, grocer, and tea dealer, March 23 at 1, and April 17 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Rowe, Stratton, Cornwall; Turner, Exeter; Fox, 40, Finsbury-circus, London.—Fiat dated March 6.

GEORGE CROOKES, Sheffield, Yorkshire, bookseller, printer, stationer, dealer and chapman, March 24 and April 21 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Hoole & Yeoman, Sheffield; Tattershall, Great James's-st., London.—Fiat dated March 7.

GEORGE CUNNINGHAM, Northwich, Cheshire, grocer, March 27 and April 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool; Oliver, Old Jewry-chambers, London.—Fiat dated March 1.

THOMAS OCCLESHEAD and CHARLES CUMMINS, Liverpool, commission and forwarding agents and general merchants, (carrying on business under the firm of Thomas Occleshead & Co.), March 30 and May 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Payne, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated March 5.

MARK M'GIVERIN and JOSEPH JOHNSON, Manchester, smallware manufacturers, dealers and chapmen, March 29 and April 20 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Cooper, Manchester; Gregory & Co., 1, Bedford-row, London.—Fiat dated March 7.

Meetings.

Jonathan Higginson and *Richard Deane*, Liverpool, merchants, March 24 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*John Leadbeater*, Manchester, merchant, March 27 at 1, District Court of Bankruptcy, Manchester, pr. d.—*Wm. Newby*, Manchester, joiner, March 24 at 11, District Court of Bankruptcy, Manchester, last ex.—*James Pierce*, Chorley, Lancashire, corn dealer, March 27 at 12, District Court of Bankruptcy, Manchester, last ex.—*James De Benardy*, Hanover-square, Middlesex, victualler, April 4 at 11, Court of Bankruptcy, London, aud. ac.—*Hen. Hawgood*, Newington-causeway, Surrey, stationer, April 4 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Edwin T. Gough*, Edmonton, Middlesex, boarding-house keeper, April 5 at half-past 2, Court of Bankruptcy, London, aud. ac.—*George Prince*, Romsey, Hampshire, wine merchant, April 4 at 12, Court of Bankruptcy, London, aud. ac. and fin. div.—*Samuel Williams*, Reading, Berkshire, coach proprietor, April 3 at 11, Court of Bankruptcy, London, aud. ac.—*Isaac Gaze*, Stroud-road, Gloucestershire, builder, April 10 at 11, District Court of Bankruptcy, Bristol, aud. ac.; April 13 at 11, div.—*Bridger Rontree*, Hylton Ferry, Durham, grocer, April 4 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Donaldson*, Wigton, Cumberland, common brewer, April 4 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Robert Crow*, Newcastle-upon-Tyne, draper, April 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Rich. Yates*, Manchester, innkeeper, April 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Jarvis*, Birmingham, plane maker, April 5 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Robert K. Mann*, Kingston-upon-Hull, wine merchant, April 4 at 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and fin. div.—*Rob. F. Gower* the younger, *Robert E. Alison*, and *W. L. Cumberlege*, New Broad-street, London, and Valparaiso, Chili, merchants, April 3 at half-past 12, Court of Bankruptcy, London, div.—*Robert James Popplewell*, Southampton, outfitter, April 5 at 11, Court of Bankruptcy, London, div.—*Ozias Day*, Devizes, Wiltshire, baker, April 13 at 11, District Court of Bankruptcy, Bristol, div.—*Caleb Radcliffe*, Bury, Hulme, Manchester, drysalter, April 4 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Joshua Wood*, *James Wood*, *Joseph Wood*, *Richard Wood*, *John Wood*, and *Chas. Wood*, Denby Dale, Cumberworth, Silkstone, Yorkshire, fancy cloth manufacturers, April 5 at 11, District Court of Bankruptcy, Leeds, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James De Bernardy, Hanover-street, Hanover-square, Middlesex, victualler, April 4 at 11, Court of Bankruptcy, London.—*Sam. John Thomas*, London-road, Southwark, Surrey, surgeon, April 4 at 11, Court of Bankruptcy, London.—*Jas. Cottell*, Cowes, Isle of Wight, Southampton, plumber, April 4 at 1, Court of Bankruptcy, London.—*James Soutter* and *William Fred. Hammond*, Causeway, Limehouse, Middlesex, engineers, April 4 at 12, Court of Bankruptcy, London.—*Henry Hawgood*, Newington-causeway, Surrey, stationer, April 4 at half-past 11, Court of Bankruptcy, London.—*S. Williams*, Reading, Berkshire, coach proprietor, April 3 at 11, Court of Bankruptcy, London.—*Zebulun Leigh*, Manchester, coffee merchant, April 5 at 12, District Court of Bankruptcy, Manchester.—*Christopher G. Middleton*, Manchester, soap manufacturer, April 5 at 12, District Court of Bankruptcy, Manchester.—*Francis Deffinne*, Manchester, gingham manufacturer, April 4 at 12, District Court of Bankruptcy, Manchester.—*James W. Jeffreys* and *John Meek*, Liverpool, merchants, April 3 at 11, District Court of Bankruptcy, Liverpool.—*Thomas Hughes*, Liverpool, woollen draper, April 5 at 11, District Court of Bankruptcy, Liverpool.—*Thomas Williams*, Birmingham, surgeon, April 4 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 3.

Samuel Mobbs, Alfred-place, Alexander-square, Brompton, Middlesex, coal merchant.—*Sam. Jones*, Manchester, timber merchant.—*Enoch Fellows*, Bilston, Wolverhampton, Staffordshire, licensed victualler.—*W. D. Hay*, Newcastle-upon-Tyne, baker.—*Nicholas Brown*, Hexham, Northumberland, timber merchant.—*James Heritage*, Uxbridge, Middlesex, draper.—*Caleb Radford*, Uckfield, Sussex, apothecary.

Scotch Sequestrations.

Mack & Rutherford, Leith, traders.—*Wm. Hall*, Eaglesham, Renfrew, blacksmith.—*E.* and *A. M'Millan*, Edinburgh, writers.—*Charles Grassick*, Buchaam, Strathdon, Aberdeenshire, farmer.—*William Semple*, Cambuslang, Lanarkshire, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Bowman Jones, Liverpool, hair dresser, March 19 at 10, Liverpool District County Court, at Liverpool.—*Joseph Clegg*, Manchester, blacksmith, March 23 at 1, County Court of Lancashire, at Manchester.—*Ann Greenhow*, Hulme, Manchester, provision dealer, March 23 at 1, County Court of Lancashire, at Manchester.—*Benj. Mason*, Embsay, Skipton, Yorkshire, spindle forger, March 23 at 11, County Court of Yorkshire, at Skipton.—*Geo. Lucre*, Bath, licensed victualler, March 17 at 12, County Court of Somersetshire, at Bath.—*John Coster Bryant*, Poulton, Gloucestershire, out of business, April 7 at 10, County Court of Wiltshire, at Malmesbury.—*Solomon Jewson*, Holbeach, Lincolnshire, professor of music, April 12 at 12, County Court of Lincolnshire, at Holbeach.—*Richard Fuller*, Portsea, Hampshire, ironmonger, March 31 at 10, County Court of Hampshire, at Portsmouth.—*W. Robinson*, New Malton, Yorkshire, tailor, March 26 at 10, County Court of Yorkshire, at New Malton.—*Ner Tyler*, Victoria-st., Gloucestershire, retailer of beer, April 9 at 10, County Court of Gloucestershire, at Gloucester.—*Ed. Gartside Cowper*, Old Delph, Saddleworth, Yorkshire, auctioneer, March 31 at 11, County Court of Yorkshire, at Saddleworth.—*John Perkins*, Birmingham, chaser, March 26 at 2, County Court of Warwickshire, at Birmingham.—*Thos. Sanders*, Torr, Tormoham, Devonshire, grocer, March 24 at 11, County Court of Devonshire, at Newton Abbot.—*Jos. Field*, Cheltenham, Gloucestershire, plumber, March 20 at 10, County Court of Gloucestershire, at Cheltenham.—*James Buzzacott*, Torrington, Devonshire, whitesmith, April 6 at 10, County Court of

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Devonshire, at Torrington.—*Wm. Crowson*, Cambridge, hair dresser, March 28 at 10, County Court of Cambridgeshire, at Cambridge.—*George Elwood*, Barnwell, Cambridge, licensed victualler, March 28 at 10, County Court of Cambridgeshire, at Cambridge.—*Charles Thresher*, Cambridge, clerk to the market of Cambridge, March 28 at 10, County Court of Cambridgeshire, at Cambridge.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 27 *at* 11, *before Mr. Commissioner* HARRIS.

John Pells, Romford, Essex, coach wheelwright.—*Edward Geo. Brooks* the elder, Clarendon-st., Somers-town, Middlesex, dealer in milk.—*Jas. J. Bowler*, Lower Norwood, Surrey, out of business.—*Charles Clark* the younger, Prince's-road, Bermondsey, Surrey, tailor.

March 28 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. Wilmot Twichin, Camomile-st., London, out of business.—*Thos. Wm. Shackel*, King-st., Stepney, clerk to an ironmonger.—*Thos. Weedon*, Yeading Hayes, Middlesex, general dealer.—*Wm. Passenger*, Somers-town-terrace, Somers-town, Middlesex, artificial florist.—*Wm. May*, Pennyfield, Poplar, Middlesex, pork butcher.

March 29 *at* 11, *before the* CHIEF COMMISSIONER.

John Wm. Chandler, William-st., Prince's-road, Nottinghill, Middlesex, conductor to an omnibus.

March 29 *at* 10, *before Mr. Commissioner* LAW.

Charles John Green, Cromwell-row, Old Brompton, Middlesex, tobacconist.—*Wm. Mallett*, Gloucester-terrace, Vauxhall-bridge-road, Westminster, Middlesex, blind maker.—*Michael Levy Goodman*, Leicester-place, Leicester-square, Middlesex, out of business.—*James Mead*, Manor-place, Harlesdon-green, Willesden, Middlesex, wheelwright.—*James Boden*, Pied Bull-yard, Bloomsbury, Middlesex, coach maker.

March 29 *at* 11, *before Mr. Commissioner* PHILLIPS.

Samuel Forest Leach, Great Queen-st., Lincoln's-inn, private teacher.—*John Phillips*, Torrington-place, Torrington-square, Middlesex, land surveyor.—*Jas. Zacharies Williams*, Spencer-street, Goswell-road, Middlesex, shopman to an optician.

Saturday, March 10.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Hervey Chappell, Sussex-st., Tottenham-court-road, Middlesex, publisher of fashions, No. 60,341 T.; Ed. Minister, assignee.—*John Carter*, King-st., Southwark, Surrey, dealer in horse flesh, No. 60,433 T.; Thomas Winkley, assignee.—*Reginald Remington* the younger, Holywell-street, Strand, Middlesex, attorney at law, No. 60,490 T.; John Mann, assignee.—*Robert Tucker*, Southampton, bricklayer, No. 70,260 C.; Ed. Sheppard, assignee.—*Geo. Hanson* the younger, Leeds, Yorkshire, brushmaker, No. 70,348 C.; R. Harrison and Jos. Blackburn, assignees.—*Elizabeth Hughes*, Halifax, Yorkshire, spinster, No. 70,487 C.; William Aked Metcalfe, assignee.—*Ed. Welsh*, Huddersfield, Yorkshire, railway contractor, No. 70,541 T.; Wm. Sykes Thornton, James Sheard, Henry Hirst, and Joseph Parker, assignees.—*John Shutt*, Birkenhead, Lancashire, lodging-house keeper, No. 70,581 C.; George M'Connal, assignee.—*John Thompson*, Knaresborough, Yorkshire, shopkeeper, No. 70,629 C.; Thomas Richardson, assignee.

Saturday, March 10.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Harland, Canterbury-street, York-road, Lambeth, Surrey, warehouseman: in the Debtors Prison for London and Middlesex.—*Wm. Jackson* the elder, Golden-lane, Barbican, London, plumber: in the Debtors Prison for London and Middlesex.—*Edward Claridge*, Warwick-lane, Newgate-street, London, goldbeater: in the Debtors Prison for London and Middlesex.—*George D. Dempsey*, Elcom-terrace, New North-rd., Islington, Middlesex, civil engineer: in the Debtors Prison for London and Middlesex.—*Alfred T. Hatch*, Blenheim-place, High-street, Peckham, Surrey, ham dealer: in the Debtors Prison for London and Middlesex.—*T. Wentworth*, Stafford-place, Wyndham-road, Camberwell, Surrey, cattle dealer: in the Queen's Prison.—*James Oliver* the elder, Bury-street, St. James's, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*Wm. G. Clark*, Carlisle-lane, Westminster-road, Lambeth, Surrey, builder: in the Queen's Prison.—*Wm. Barrett*, Charrington-st., Oakley-square, Somers-town, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*D. Hennessy*, Orchard-street, Westminster, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Briggs* the elder, Gravesend, Kent, plumber: in the Debtors Prison for London and Middlesex.—*Thomas Pocklington*, Bull's-place, Shepherdess-walk, City-road, Middlesex, rope manufacturer: in the Debtors Prison for London and Middlesex.—*James Leigh*, Pickering-place, Paddington, Middlesex, ornamental modeller: in the Debtors Prison for London and Middlesex.—*Thos. Martindale*, Bidborough-street, Burton-crescent, Middlesex, clerk in Somerset-house: in the Debtors Prison for London and Middlesex.—*Edmond Simkins*, Essex-street, Islington, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Thomas Pike*, Market-street, Hart-street, Bloomsbury, Middlesex, shopman to a tailor: in the Debtors Prison for London and Middlesex.—*Eliz. Mary Mendham*, New-inn-yard, Shoreditch, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Boswell*, Farthinghoe, near Brackley, Northamptonshire, in no business: in the Gaol of Northampton.—*J. Mackrill* the younger, Great Grimsby, Lincolnshire, in no business: in the Gaol of Lincoln.—*Frances Runder*, Exeter, Devonshire, out of business: in the Gaol of Exeter.—*Thomas Bishop*, Southampton, Hampshire, builder: in the Gaol of Southampton.—*Elizabeth Brown*, Nottingham, licensed victualler: in the Gaol of Radford Peverel.—*John Dyke*, Nottingham, shoemaker: in the Gaol of Radford Peverel.—*John Hodgkinson*, New Radford, Nottinghamshire, maltster: in the Gaol of Radford Peverel.—*James Hedderly*, Nottingham, baker: in the Gaol of Nottingham.—*Wm. John*, Pentyrch, Glamorganshire, labourer: in the Gaol of Cardiff.—*Benjamin Bayes*, Great Yarmouth, Norfolk, pork butcher: in the Gaol of Norwich.—*John Geo. Holmes*, Burton-upon-Trent, Staffordshire, guard on the North Staffordshire Railway: in the Gaol of Stafford.—*N. G. Murrell*, Swavesey, Cambridgeshire, grocer: in the Gaol of Cambridge.—*Frederick Dorrington*, Ware, Hertfordshire, carpenter: in the Gaol of Hertford.—*James Fielding*, Eccles, near Manchester, provision shopkeeper: in the Gaol of Lancaster.—*John Hall*, Great Gaddesdon, Hertfordshire, shoemaker: in the Gaol of Hertford.—*William Miller*, Portsea, Hampshire, builder: in the Gaol of Portsmouth.—*J. Peck*, Old Buckenham, Norfolk, commissioned horse dealer: in the Gaol of Norwich.—*George Thomas*, Panthumphrey, Llanarthney, Carmarthenshire, weaver: in the Gaol of Carmarthen.—*Rich. T. Hinton*, Much Wenlock, Shropshire, clerk to the trustees of the Wenlock and Church Stretton Turnpike-road: in the Gaol of Shrewsbury.—*Thomas Lloyd*, Wolverhampton, Staffordshire, licensed victualler: in the Gaol of Stafford.—*Wm. Leicester*, Kersall-hall-farm, Kersall-moor, near Manchester, out of business: in the Gaol of Lancaster.—*Henry Redfearn*, Sheffield, Yorkshire, saw maker: in the Gaol of York.—*Marmaduke Taylor*, Skerton, near Lancaster, cordwainer: in the Gaol of Lancaster.—*R. Tolson*, Dalton, near Huddersfield, Yorkshire, cloth salesman: in the Gaol of York.—*Henry Tomlinson*, Mayfield, Staffordshire, schoolmaster: in the Gaol of Derby.—*John Bancroft*, Manchester, beer-house-keeper: in the Gaol of Lancaster.—*Richard Simmons*, Preston, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Wm. Russell*, Manchester, agent: in the Gaol of Lancaster.—*Thomas Morris*, Manchester, out of business: in the Gaol of Lancaster.—*Herbert Haselden*, Manchester, tailor: in the Gaol of Lancaster.—*Edward Cook*, Manchester, reed maker: in the Gaol of Lancaster.—*James Fairclough*, Bootle, near Liverpool, architect: in the Gaol of Lancaster.—*Thos. Taylor*, Coleshill, Hertfordshire, blacksmith: in the Gaol of Aylesbury.—*Wm. Westwood*, Newchurch, Isle of Wight, farmer: in the Gaol of Winchester.

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The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 29 *at* 11, *before the* CHIEF COMMISSIONER.

John Dalby, Old Kent-road, Surrey, coal merchant's clerk. —*Wm. Baldwin* the younger, Alfred-place, Harrow-road, Middlesex, smith.—*Daniel Paskins*, Grosvenor-mews, Grosvenor-sq., and Brownlow-st., Drury-lane, Middlesex, coachsmith.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Carmarthenshire, at CARMARTHEN, *March* 27 *at* 2.

Griffith Davies, Llanstephan, victualler. — *Samuel Ball*, Llangunnor, land surveyor.

At the County Court of Cambridgeshire, at CAMBRIDGE, *March* 28 *at* 10.

N. G. Murrell, Swavesey, grocer.—*Robert Layton*, Fulbourn, butcher.

At the County Court of Staffordshire, at STAFFORD, *March* 26 *at* 12.

John Wolverson, Sedgley, chain maker.—*Thomas Lloyd*, Wolverhampton, licensed victualler.

INSOLVENT DEBTORS' DIVIDENDS.

Wm. K. Jackson, Chorlton-upon-Medlock, Lancashire, stock broker: 2*s.* 3*d.* in the pound.—*John Andrews*, Aldersgate-street, London, tobacconist: 2*s.* 8*d.* in the pound.—*Jas. Mackie*, White Rose-court, Coleman-street, London, watchmaker: 1*s.* 8*d.* in the pound.—*Alexander Hawkins*, London-road, Southwark, Surrey, ironmonger: 1*s.* 3½*d.* in the pound. —*Wm. Crawley*, Wood-street, Cromer-street, Brunswick-square, Middlesex, lieutenant on half-pay, 27th Infantry: 5*s.* 6*d.* in the pound.—*John Hull*, Lee, Kent, a pensioner of the East India Company: 6*s.* 6*d.* in the pound.—*W. Somerville*, Lee, Kent, lieutenant in the Navy, on half-pay: 4*s.* 4*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

Luke Kent, mariner, at Mr. Stigant's, Portsea: 7*s.* 5*d.* in the pound.

FRIDAY, MARCH 16.

BANKRUPTS.

ELISHA ALLSOP and DAVID ALLSOP, Arlington-place, Back-road, Saint George's in the East, Middlesex, builders, dealers and chapmen, March 23 and April 27 at 11, Court of Bankruptcy, London: Off. Ass Whitmore; Sol. Hodgson, 8, Great Tower-street, City.—Fiat dated March 12.

JAMES AYERS, Elham, Kent, farmer and grazier, commission agent, dealer and chapman, March 23 and April 27 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Sankey, Canterbury; Richardson & Talbot, 47, Bedford-row, London.—Fiat dated March 14.

WILLIAM SKINNER, High-street, Aldgate, London, clothier, outfitter, dealer and chapman, March 23 at 11, and April 27 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Mardon & Prichard, 99, Newgate-street.—Fiat dated March 9.

GEORGE RAIT, Moorgate-street, London, tailor, dealer and chapman, March 28 at 1, and April 27 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Desborough & Co., 6, Sise-lane.—Fiat dated March 14.

WILLIAM LANCELOT KELLY, Newport, Monmouthshire, bookseller, stationer, dealer and chapman, March 23 and April 28 at 1, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Fry & Co., 80, Cheapside. — Fiat dated March 13.

THOMAS NOKES the elder, Upminster and Stifford, Essex, miller, dealer and chapman, March 22 and April 30 at 2, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Towne, Devonshire-square.—Fiat dated March 22.

THOMAS WESSON, Nottingham, lace manufacturer, dealer and chapman, March 30 and April 27 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Coope, Nottingham.—Fiat dated March 9.

JOHN COSSINS, New Church-street, Portman-market, Middlesex, linen draper, dealer and chapman, March 29 at 1, and April 27 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Hardwick & Davidson, 22, Basinghall-street.—Fiat dated March 10.

JOHN THOMAS FLYNN, Birmingham, grocer, tea dealer, and shopkeeper, dealer and chapman, March 22 and April 21 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Harrison, Birmingham.—Fiat dated Feb. 23.

WALTER PALMER, Rugeley, and Etching-hill, near Rugeley, Staffordshire, corn merchant, dealer and chapman, March 27 and April 24 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Rawlins, Birmingham; Wilde & Co., 21, College-hill, Queen-street, Cheapside, London.—Fiat dated March 2.

JOHN LIGHT, Weston-super-Mare, Somersetshire, saddler, dealer and chapman, March 30 and April 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Gibb, jun., Bristol; Irwin & Taylor, Gray's-inn.—Fiat dated Feb. 27.

HENRY ADAMS, Bridgetown, Berry Pomeroy, Totnes, Devonshire, scrivener and broker, March 27 and April 24 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Turner, Exeter; Spyer, Broad-street-buildings, London.—Fiat dated March 10.

HENRY WILCOX, Manchester, tailor and draper, dealer and chapman, March 28 and April 24 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. E. & R. W. Bennett, Manchester; Abbott, 46, Lincoln's-inn-fields, London.—Fiat dated March 8.

JOHN REWCASTLE, Gateshead, Durham, copperas maker, March 23 at half-past 10, and April 26 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sol. Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne.—Fiat dated March 10.

THOMAS CRAGG, Blackpool, Layton-with-Warbreck, Lancashire, grocer, March 27 and April 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Liddell, Poulton, near Preston, Lancashire; Snowball, Liverpool; Appleby, Harper-street, London.—Fiat dated March 8.

MEETINGS.

George Henry Husband, Salford, Lancashire, joiner, April 3 at 12, District Court of Bankruptcy, Manchester, last ex.—*John Pulleine* the younger, Selby, Yorkshire, brewer, April 5 at 11, District Court of Bankruptcy, Leeds, last ex.—*Henry Rogers*, Sheffield, Yorkshire, victualler, April 7 at 10, District Court of Bankruptcy, Sheffield, sp. aff.—*J. B. Amey*, Liverpool, ship broker, April 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac. — *G. Weiss*, Liverpool, music seller, April 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 10 at 11, div.—*Saml. Brownentt*, Liverpool, fruit merchant, April 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Crocker*, Yeovil, Somersetshire, ironmonger, April 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 12 at 1, div.—*Hugh Kennedy*, Taunton, Somersetshire, draper, April 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 12 at 1, div.—*John Harvey*, Sidmouth, Devonshire, printer, April 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 12 at 1, div.—*William Woodward*, Newcastle-under-Lyme, Staffordshire, plumber, April 10 at 10, District Court of Bankruptcy, Birmingham, aud. ac. — *John Morgan* the elder and *John Morgan* the younger, Hereford, and Glasbury, Radnorshire, woolstaplers, April 10 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*James Sorby*, Sheffield, Yorkshire, scrivener, April 7 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Thomas Potter*, Sheffield, Yorkshire, printer, April 7 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*R. Dunn* and *R. D. Dunn*, Wakefield, Yorkshire, corn factors, April 23 at 12, District Court of Bankruptcy, Leeds, aud. ac.; April 24 at 11, div. sep. est. of *R. Dunn*.—*Saml. Williams*, Reading, Berkshire, coach proprietor, April 10 at 12, Court of Bankruptcy, London, div.—*John Peake* and *Thomas Hall*, Litchfield, ironmongers, April 10 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div. —*Thos. Bate*, *Wm. S. Bate*, and *James Hellings*, Rugeley, Staffordshire, brewers, April 10 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*James Batson*, Great

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Bridge, and *Wm. Batson*, Handsworth, Staffordshire, ironmasters, April 10 at 10, District Court of Bankruptcy, Birmingham, div.—*Joseph C. Player*, Dursley, Gloucestershire, draper, April 17 at 12, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Francis Clowes, Norwich, auctioneer, April 9 at 12, Court of Bankruptcy, London.—*Francis O'Neill*, Liverpool, corn merchant, April 9 at 11, District Court of Bankruptcy, Liverpool.—*David Turner*, Sheffield, Yorkshire, innkeeper, April 7 at 10, District Court of Bankruptcy, Sheffield.—*Wm. S. Pearson*, Burslem, Staffordshire, druggist, April 17 at 10, District Court of Bankruptcy, Birmingham.—*John Yates* the younger, Colwich, Staffordshire, corn factor, April 17 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 6.

Benjamin Peach, Gravesend, Kent, discount broker.—*R. Hayward*, Southampton, brewer.—*J. Lockyer*, St. James's-walk, Clerkenwell, Middlesex, metal tool merchant.—*Eliz. Ling*, Norwich, brush maker.—*Thomas Rose* the younger, Dorking, Surrey, grocer.—*Fras. D. Haviland*, Burwash, Sussex, hop merchant.—*Chas. Jos. John Turner*, Bucklersbury, and Old Jewry, London, auctioneer.—*Wm. Wolfe Bonney*, William-street, Knightsbridge, Middlesex, wine merchant.—*Francis Keates*, Waterloo-road, Lambeth, Surrey, draper.—*Daniel Horton*, Russell's-hall Iron Works, near Dudley, Worcestershire, ironmaster.—*W. S. Denny*, Long Buckby, Northamptonshire, linen draper.—*Thos. N. Heyward*, Torquay, Devonshire, grocer.—*F. W. Lack*, Cheltenham, Gloucestershire, tailor.

SCOTCH SEQUESTRATIONS.

Robert Cranston, Edinburgh, hotel keeper.—*Robt. Little*, Selkirk, joiner.—*David Myles*, Dundee, shipowner.—*Wm. L. Cruikshank*, Elgin, merchant.—*Thomas Dewar*, Crieff, innkeeper.—*Geo. A. Bisset*, Edinburgh, stay manufacturer.—*W. R. Steel*, Glasgow, merchant.—*Hunter Robertson & Co.*, Greenock, merchants.—*Philip Young*, Glasgow.—*Alexander Buchanan*, Glasgow, gingham manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Cox, Birmingham, March 26 at 2, County Court of Warwickshire, at Birmingham.—*John Ansell*, Birmingham, potato salesman, March 26 at 2, County Court of Warwickshire, at Birmingham.—*S. Hughes*, Birmingham, earthenware dealer, March 26 at 2, County Court of Warwickshire, at Birmingham.—*Charles Mundell*, Ryde, Newchurch, Isle of Wight, Hampshire, painter, March 30 at 10, County Court of Hampshire, at Newport.—*Arthur W. Fowles*, Ryde, Newchurch, Isle of Wight, Hampshire, painter, March 30 at 10, County Court of Hampshire, at Newport.—*Harrison Ireland*, Flamborough, Yorkshire, shoemaker, March 29 at 10, County Court of Yorkshire, at Bridlington.—*James Kemp*, Brading, Isle of Wight, Hampshire, labourer, March 30 at 10, County Court of Hampshire, at Newport.—*Thomas Noad*, Bristol, saddler, April 18 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Cox*, Oaklands-farm, Mangotsfield, Barton Regis, Gloucestershire, farmer, April 18 at 11, County Court of Gloucestershire, at Bristol.—*William Litton* the younger, Warrington, Lancashire, bookkeeper, April 5 at 11, County Court of Lancashire, at Warrington.—*Geo. B. Dene*, Bristol, attorney's clerk, April 18 at 11, County Court of Gloucestershire, at Bristol.—*Sarah Hughes*, Bristol, of no business, April 18 at 11, County Court of Gloucestershire, at Bristol.—*James Anstey*, Birmingham, fruiterer, March 26 at 2, County Court of Warwickshire, at Birmingham.—*Elizabeth Payne*, Birmingham, out of business, March 26 at 2, County Court of Warwickshire, at Birmingham.—*Robert Lait*, Stowmarket, Suffolk, shoemaker, March 26 at 10, County Court of Suffolk, at Stowmarket.—*John Notley*, Brandon, Suffolk, schoolmaster, March 30 at 2, County Court of Norfolk, at Thetford.—*Wm. Rackham*, Wickham-market, Suffolk, carpenter, March 29 at 1, County Court of Suffolk, at Woodbridge.—*Jonah Thomas*, Carmarthen, writer, March 27 at 2, County Court of Carmarthenshire, at Carmarthen.—*Daniel Daniel*, Tynewydd, Llangunnor, Carmarthenshire, farmer, March 27 at 2, County Court of Carmarthenshire, at Carmarthen.—*Wm. Allcock*, Nottingham, pattern designer, April 9 at 9, County Court of Nottinghamshire, at Nottingham.—*Wm. Warren*, Bath, in no business, April 7 at 12, County Court of Somersetshire, at Bath.—*John Garrod*, St. Alban's, Hertfordshire, March 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Litchfield Green*, Claremont-sq., Pentonville, Middlesex, out of business, March 28 at 1, County Court of Hertfordshire, at Hertford.—*Alex. Litchfield*, St. Alban's, Hertfordshire, out of business, March 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Jos. Smith*, Silkstone, Yorkshire, stonemason, April 13 at 12, County Court of Yorkshire, at Barnsley.—*Robt. B. M. Hogan*, Birkenhead, Cheshire, auctioneer, March 30 at 10, County Court of Cheshire, at Birkenhead.—*James Herd*, Tranmere, Cheshire, corn broker, March 30 at 10, County Court of Cheshire, at Birkenhead.—*Joseph Adams*, Walcot, Bath, carpenter, March 24 at 12, County Court of Somersetshire, at Bath.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 30 at 10, before Mr. Commissioner LAW.

Wm. Phillips, Grove-terrace, Bayswater, Middlesex, fishmonger.

March 31 at 10, before Mr. Commissioner LAW.

John Yell, Crunscott-st., Grange-road, Bermondsey, Surrey, upholsterer's clerk.

April 2 at 11, before Mr. Commissioner PHILLIPS.

Geo. C. Bull, Windmill-st., Finsbury, Middlesex, tailor.—*Amelia G. Furzeman*, widow, Temple-st., St. George's-road, Southwark, Surrey, actress.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 30 at 11, before Mr. Commissioner HARRIS.

John Durden the younger, Beresford-st., Walworth, Surrey, dealer in hardware.—*John L. Hayman*, Albany-road, Old Kent-road, Surrey, seed cleaner.—*Thos. Theed*, Great Portland-st., Regent-st., Middlesex, money agent.—*Mark Cohen*, Morphet-terrace, Grove-street, Hackney, Middlesex, paper stainer.—*Stephen W. Burridge*, Rotherhithe-st., Rotherhithe, Surrey, licensed victualler.—*Joseph Stammers*, Tavistock-terrace, Upper Holloway, Middlesex, barrister at law.—*Thos. Whitewood*, South-st., Greenwich, Kent, plasterer.

March 30 at 10, before Mr. Commissioner LAW.

Thomas Harland, Canterbury-street, York-road, Lambeth, Surrey, clerk to a provision merchant.

March 31 at 11, before Mr. Commissioner PHILLIPS.

Wm. J. Worthington, Brook's-mews, Westbourne-terrace, Bayswater, Middlesex, cabriolet proprietor.—*John Dearle*, Holly Bush-hill, Hampstead, Middlesex, following no business.—*George Strickland*, King-street, Saint James's-square, Middlesex, lodging housekeeper.—*George Bather*, Edmond-street, King's-cross, Middlesex, copper plate engraver.

April 2 at 11, before the CHIEF COMMISSIONER.

Ed. Claridge, Warwick-lane, Newgate-st., London, gold beater.—*Fred. Studdy*, Queen's-row, Grove-lane, Camberwell, Surrey, lieutenant in the East India Company's Service in the retired list.—*James Oliver* the elder, Bury-street, St. James's, plumber.—*John Briggs* the elder, Gravesend, Kent, superannuated painter from her Majesty's Dockyard at Sheerness.—*Sir Thomas Howland Roberts*, Bart., Appelby-cottage, Cheshunt, Hertfordshire, not in any employment.—*George Mitchell*, Prince's-st., Marlborough-road, Chelsea, Middlesex, bricklayer.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Reed, Liverpool, baker, No. 70,662; Christopher Wade, assignee.—*Thos. Cort*, Chorley, Lancashire, provision

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dealer, No. 70,714; John Carter, assignee.—*James Shuttleworth*, Salford, Lancashire, out of business, No. 70,710; John Lowe, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *March* 30 *at* 11.

Thos. Steeple, Royton, out of business.—*Philip Buckley*, Hose Hoylake, near Liverpool, butcher.—*J. Brown*, Bamber Bridge, near Preston, provision-shop keeper.—*Radcliffe Wood*, Oldham, retail dealer in ale.—*Jas. Fielding*, Eccles, near Manchester, provision-shop keeper.—*Wm. Ford*, Liverpool, out of business.—*Jas. Kelley*, Liverpool, cart-owner.—*Wm. Russell*, Manchester, general dealer.—*Thos. Morris*, Manchester, tobacconist.—*Rich. Simmons*, Preston, retail dealer in ale.—*Marmaduke Taylor*, Skerton, cordwainer.—*John Carr*, Liverpool, rope maker.—*Hen. Williams*, Liverpool, landscape painter.—*J. Bancroft*, Manchester, brewer.

At the County Court of Nottinghamshire, at NOTTINGHAM, *April* 9.

Elizabeth Bown, Nottingham, out of business.—*Jas. Hedderley*, Nottingham, baker.—*John Dyke*, Nottingham, shoemaker.—*John Hodgkinson*, Nottingham, licensed victualler.

At the County Court of Hampshire, at WINCHESTER, *March* 29.

Joseph King, Southampton, licensed victualler.

At the County Court of Hampshire, at PORTSMOUTH, *March* 31.

William Miller, Portsea, builder.

At the County Court of Somersetshire, at TAUNTON, *March* 31.

Thomas Walter Bush, Charmouth, near Lyme Regis, in no way of business.—*Matthew Day*, Worle, miller.—*Jas. Hibbard*, Englishcombe, labourer.

At the County Court of Devonshire, at the CASTLE OF EXETER, *March* 31 *at* 10.

Francis Runder, Exeter, out of business.—*James Smith*, Plymouth, superannuated shipwright.—*Christopher Rogers*, Aveton Gifford, mason.

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LONDON, MARCH 24, 1849.

The next question of principle, which is, we apprehend, essential to the successful operation of any registration of titles, is, that all deeds shall be registered at length. If the present still verbose style of drafting makes that impracticable, consistently with its continuance, *the Legislature* should couple registration with some efficient measure for rendering conveyances short. But, whether they remain long, or whether they become models of brevity, all deeds must be found, by the searchers in a registry-office, set out in full, if the registry is not intended to be a snare, instead of a benefit. A few examples readily suggest themselves of the kind of case in which any mere abstracts would be useless; in which, in fact, according to the present practice, abstracts never do satisfy a purchaser's conveyancer. Of what use, for instance, is it to be informed that A. appointed under a deed conveying to uses to bar dower, or that an appointment was made by a married woman by will, under a power given to her to appoint by deed or will, unless the precise terms of the limitation or power are set forth? Of what use would it be to learn that A., a mortgagee, took a conveyance of the equity of redemption, with an assignment of the debt to a trustee, unless the exact nature and language of the deed was known: or of what use would it be to a person purchasing from one who claimed under trustees for sale, to know, that, by a certain deed, lands were conveyed to trustees upon divers trusts, with powers of sale; and that, by another deed, the trustees, exercising their power, had sold and conveyed? It is manifest, that in these, which are but the most familiar instances, and in numberless others, unless a registry shews the whole transaction in its details, it is useless. If it be said, that, under the present system of laying abstracts before counsel, deeds are not set out at length, the answer is, in the first place, that the abstract is, or ought to be, prepared from the deeds themselves, by a solicitor possessed of sufficient legal science and acumen to know when the whole or portions of a deed require to be fully set out, and when not; and, in the second place, that, in reference to the particular difficulties of each transaction, if the solicitor does not set out the important passages of a deed fully, there is still the vigilance of the conveyancer to rely upon; and it is not often that he neglects to call for a verbatim copy of any powers or limitations affecting the essence of the title under which his client is to take. It is not necessary in an abstract of title laid before a particular purchaser, about to purchase a particular interest, that everything should be set out fully, for the very reason that the attention of his advisers is particularly directed to the points on which, with reference to the particular purchase, full information must be looked for. But a registry is an irrevocable abstract of title destined for all purchasers; prepared beforehand; without any knowledge of the point of the title from which a particular future purchaser will wish to start, or the prts of it on which full informaation may be essential to him. Hence it is, that, unless it contains a full record of *every* transaction *at length*, it must, of necessity, fail, in probably a vast majority of cases, to afford the requisite information to the particular inquirer.

The next question, which is in the nature of a question of principle, is, the mode of identifying parcels; for on this depends the quiet enjoyment of property as much as on the exhibition of its legal devolution, and of the rights incident to it. And as a registry is intended to be an engine of security, not for a day or a year, but for generations, it should be so constituted as to make

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identification of parcels independent of the changes which the fancies of men, in reference to nomenclature, not less than their wants in reference to subdivision, tend to introduce. That many titles are unmarketable, from the difficulty of identifying the triangular piece of land, now called, perhaps, "The Home-field," and known by that name as far back as living or hearsay evidence can be carried, as a portion of some other piece of land of a totally different name, and, perhaps, of a totally different shape, according to the description of the parcels in the older deeds, is a fact but too well borne out by daily experience; and the question is, how the difficulty is to be met. That maps of some kind must be used, is tolerably clear. But we apprehend that it is not the mere addition to a deed of conveyance of any kind of map of the parcels that will meet the principle of the difficulty. A map, however correct, is, if no more than a common map, but a picture of a given piece of land, exhibiting its boundaries by reference to other boundaries, themselves of a fluctuating character; so that a map of Blackacre, easily identifying it to day, may be as useless for the purpose twenty years hence as the old-fashioned description of parcels. The principle that should be kept in view we take to be this, that the maps of parcels annexed to conveyances, for the purpose of an efficient registration, should be constructed on the principle of referring by measurement to a sufficient number of fixed points, previously ascertained, on the face of the country; so that whatever becomes of the existing physical marks, such as hedges, ditches, roads, or the like, constituting visible boundaries, the identity of the parcels may at all times be ascertained, if need be, by the map itself containing the means of re-constructing it. If these fixed points remained wholly to be ascertained, it would, of course, be an objection to the plan that great previous delay and expense would be incurred. But, for a large portion of the surface of the country, the existing ordnance maps, and the field-books and calculations on which they have been constructed, already afford fixed points accurately ascertained in abundance; and as to that part of the country which has not yet been subjected to the Government survey, the best existing maps would afford the means of fixing points with sufficient accuracy to be relied upon, subject to correction whenever the trigonometrical survey should be completed. If such maps were a little expensive at first—and we doubt whether their expense would be very materially greater than that of common maps—the additional expense would be soon compensated by the saving in the descriptions of parcels, if we were only to take into account the omission in successive conveyances of the long descriptions identifying by reference to occupancy; for it would be quite immaterial whether Blackacre was lately in the occupation of A., with a long name and designation, and formerly of B., with equally long ones, if one could, on any dispute, at once mark out the boundaries by measuring from fixed points, and so re-constructing the outline of the plot of ground designated in the conveyance as Blackacre.

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ON THE OMISSION TO GIVE NOTICE OF FILING PROCEEDINGS UNDER THE 23rd ORDER IN CHANCERY OF 1842.

The 23rd General Order in Chancery of 1842 directs, that when any solicitor or party shall cause an appearance to be entered, or an answer, demurrer, plea, or replication to be filed, he shall on the same day give notice thereof to the solicitor of the adverse party, or to the adverse party himself if he acts in person.

On this Order the question has arisen, whether the consequence of neglect to give notice entitles the party, to whom it ought to be given, to set aside the proceedings, or merely entitles him to time. In a case of *Johnson* v. *Tucker*, (11 Jur. 466), replication had been filed on the 11th March, and notice was not given till the 15th April. The Vice-Chancellor of England ordered the replication to be taken off the file. It was contended, that, if delay was caused to the defendant, he might apply for further time, and such time would be granted at the cost of the defendant. But to this the Court answered, that the plaintiff had no right, by neglecting to comply with the rules of the Court, to put the defendant to trouble, and force him to incur any, even the smallest risk of costs; and in the judgment, his Honor says, "The effect is, that the defendant may be obliged to take a course of proceeding, which, by the rules of the Court, would not have been thrust upon him if the plaintiff had given notice properly." In *Wright* v. *Angle*, (6 Hare, 107), the point came before Vice-Chancellor Wigram, also on a neglect to give notice of replication having been filed. His Honor, being referred to *Johnson* v. *Tucker*, decided, in opposition to it, that the proper course is not in general to nullify the proceeding, but to give time to the party entitled to notice at the cost of his opponent. In that case, the defendant gave notice of motion on the 29th October, to dismiss for want of prosecution; the plaintiff on the same day filed his replication, but did not give notice till the 30th. There could hardly be a case, therefore, in which the point could be tried more completely on its technical ground, because it was impossible to contend that the defendant could be, to any material extent, damnified, if time were given to him. The Vice-Chancellor said he treated the order requiring notice on the same day as directory; he did not say that special circumstances might not exist to make the course of treating the proceeding as irregular the most proper for correcting the error; but, in the case before him, his Honor saw no such circumstances. In *Suffield* v. *Bond*, (10 Beav. 331), which was cited in *Johnson* v. *Tucker*, Lord Langdale had proceeded on the same reasoning that the Vice-Chancellor adopted in *Wright* v. *Angle*. The point here arose on the filing of an answer. The plaintiff had obtained the common injunction. The defendant, on the 24th April, which was a Saturday, filed his answer, and obtained an order nisi. On the 26th he gave notice of having filed his answer. The plaintiff moved to discharge the order nisi. The Master of the Rolls, however, on the ground, that in the case before him no inconvenience had been occasioned by the omission, refused to discharge the order nisi, but made the defendant pay the costs of the application. "It is insisted," said his Lordship, "that I ought to discharge the order in all cases, whether any inconvenience has been created to the other side or not. I do not think that this is the necessary consequence of such an omission. It is quite true that if the Court relaxes its general rules, it will give rise to inconvenience, by the frequent discussions which will consequently arise; but

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this will be checked by the control which the Court exercises over the costs of the application. . . . . I do not intend to do anything which would imply that this General Order is not to be strictly obeyed."

The case before Lord Langdale did not decide, and does not appear by his Lordship to have been treated as deciding, the precise point raised in the other two cases. The question before Lord Langdale was not, strictly, whether the answer was irregularly filed, because the motion was not to take the answer off the file, but to discharge the order nisi. Now, the plaintiff, by thus shaping his motion, in effect waived the question of the filing of the answer being wholly a nullity, and took the opinion of the Court only upon the point whether the defendant, having neglected to give notice, did not thereby render the next step irregular.

The question, therefore, arising, strictly, on the 23rd Order of 1842, remains the subject of two conflicting decisions, and the arguments in favour of the opposite decisions are very nicely balanced. There certainly seems considerable hardship in treating a proceeding, in itself regular, as irregular, because the party taking it has omitted to give a notice, the intention of which, it may be said, is merely to enable the opposite party to take the necessary steps on his part. But, on the other hand, it may be urged, in addition to the reasons given by the Court in *Johnson* v. *Tucker*, that wherever the rules of practice limit the time for subsequent proceedings, by the party to whom notice ought to be given, if the defect is to be cured by an extension of time, the effect of the neglect of the 23rd Order is delay; and a departure from the strict application of the Order, undoes what all the more modern Orders in Chancery, addressing themselves to the times allowed in procedure, have struggled for, viz. the expediting of suits. The neglect to give notice may, if the only penalty is giving further time to the opponent, be used for the express purpose of delay; and the Court may find itself, in such cases, embarrassed by an examination of evidence to shew whether the delay must be taken to have been intentional or not. On the whole, we think it may be said that the omission to give the notice at the *right* time is, in the present state of the authorities, still a very dangerous omission, and one against which a prudent solicitor will take great care to guard himself.

London Gazettes.

TUESDAY, March 20.

BANKRUPTS.

GEORGE MORRIS, West Cowes, Isle of Wight, Southampton, broker and grocer, dealer and chapman, March 29 at half-past 1, and April 26 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Parker, St. Paul's Churchyard.—Fiat dated March 13.

CHARLES LEE, Marlborough-cottages, Marlborough-road, St. John's-wood, Middlesex, jeweller, March 29 at 2, and May 3 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Crowder & Maynard, Coleman-st.—Fiat dated March 19.

JOHN WAITE, High Holborn, Middlesex, licensed victualler, March 29 at 2, and April 27 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Govett, 29, Upper North-place, Gray's-inn-road.—Fiat dated March 15.

CHARLES OSWIN, Harley-st., Cavendish-sq., Middlesex, dentist, dealer and chapman, March 30 at 2, and May 1 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Jones, 1, Clifford's-inn.—Fiat dated March 16.

JOEL WILSON, West Bromwich, Staffordshire, steel manufacturer, dealer and chapman, April 4 and 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Hodgson, Birmingham; Vincent, Temple, London.—Fiat dated Feb. 28.

JOHN WESSON, Nottingham, lace manufacturer, dealer and chapman, March 30 and April 27 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Wells, Nottingham.—Fiat dated March 14.

RICHARD SMITH, Hathern, Leicestershire, and Formark-park, Derbyshire, tanner and farmer, dealer and chapman, March 30 and April 27 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Brewster, Nottingham.—Fiat dated March 6.

EDWIN BROOKER, Cheltenham, Gloucestershire, carver, gilder, looking-glass and picture-frame manufacturer, dealer and chapman, April 3 and May 1 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Lindo, London.—Fiat dated March 14.

THOMAS BASKERVILLE JONES, Brecon, maltster and brewer, dealer and chapman, April 3 and May 1 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Baker, Abergavenny; W. & C. Bevan, Bristol.—Fiat dated March 13.

JAMES HODGSON and JOSEPH HODGSON, Underbank, near Hebden-bridge, Halifax, Yorkshire, cotton spinners, manufacturers, and dyers, dealers and chapmen, April 3 and 24 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. J. P. & W. Sutcliffe, Hebden-bridge; Cronhelm, Leeds; Wiglesworth & Co., Gray's-inn, London.—Fiat dated March 16.

THOMAS CARLILL, Kingston-upon-Hull, grocer, tea dealer, bacon and flour factor, April 4 and 25 at 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Walker, Hull; Shackleton, Leeds; Horsley, Staple-inn, London.—Fiat dated March 8.

GEORGE KYRKE, Bryn Malley, Wrexham, Denbighshire, lime burner, April 3 and 30 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Parker, Wrexham, Denbighshire; Mallaby & Co., Liverpool; Williamson & Hill, Great James's-street, Bedford-row, London.—Fiat dated March 5.

HENRY RIDSDALE and HENRY CARTER SNELL CHAUNCEY, Liverpool, share brokers, March 30 and May 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Carson & Ellis, Liverpool; Bradley & Son, Staple-inn, London.—Fiat dated March 14.

GEORGE HOWES, Northwich, Cheshire, innkeeper, dealer and chapman, April 2 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Saxton, Northwich, Cheshire; John and James Cole, Adelphi-terr., London.—Fiat dated March 14.

JOHN LEWTAS, Manchester, cabinet maker, paper hanger, upholsterer, dealer and chapman, April 4 and 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Bell, Manchester; Gregory & Co., Bedford-row, London.—Fiat dated March 14.

Meetings.

John Newbold, Dudley, Worcestershire, auctioneer, April 17 at 10, District Court of Bankruptcy, Birmingham, last ex.—*Francis D. Haviland*, Burwash, Sussex, hop merchant, April 13 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Bruce*, Albany-street, Regent's-park, Middlesex, baker, April 13 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Abbott* and *Wm. Abbott* the younger, Bermondsey-st., Southwark, Surrey, patent hair felt manufacturers, April 13 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Christopher Jos. Knapping*, Eastwood, Essex, cattle dealer, April 11 at 12, Court of Bankruptcy, London, aud. ac.—*Jas. Cottell*, Cowes, Isle of Wight, Southampton, plumber, April 11 at 11, Court of Bankruptcy, London, aud. ac.—*Joseph Flemming*, Salter's-hall-court, London, printer, April 11 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Anderson*, Nelson-street, City-road, and Norman's-buildings, Middlesex, engineer, April 11 at 11, Court of Bankruptcy, London, aud. ac.—*Geo. Dover*, Cheltenham, Gloucestershire, builder, April 13 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Rees Davies*, Cwm Tawe, Ystradgunlais, Brecknockshire, innkeeper, April 10 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Joseph Fielding* and *Jeremiah Fielding*, Catterall and Manchester, calico printers, April 12 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*John Cotton*, Manchester, spindle maker, April 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Smalley*, Daxberry Mill, near Chorley, Lancashire, corn miller, April

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12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thos. Symes*, Bridgwater, Somersetshire, scrivener, April 18 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 18 at 11, div.—*John J. Kingdon*, Ridgway, Plympton Saint Mary, Devonshire, saddler, April 17 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 18 at 11, div.—*John Wilkins*, Bridport, Dorsetshire, marble mason, April 17 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 18 at 11, div.—*Wm. E. Barandon*, Philpot-lane, London, merchant, April 12 at 11, Court of Bankruptcy, London, div.—*John Matthews* and *Chas. D. Matthews*, Chipping Norton, Oxfordshire, and Chipping Campden, Gloucestershire, bankers, April 17 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*Adolphus Blumenthal*, Birmingham, wine merchant, April 18 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*Wm. Maury*, Liverpool, merchant, April 10 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Kay*, Tottington Lower End, Lancashire, corn dealer, April 12 at 11, District Court of Bankruptcy, Manchester, div.—*Edmund Arrowsmith*, Burnley, Lancashire, mercer, April 12 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Christopher J. Knapping, Eastwood, Essex, cattle dealer, April 11 at 12, Court of Bankruptcy, London.—*G. Streeter*, Lisson-grove, Middlesex, draper, April 19 at 11, Court of Bankruptcy, London.—*James Willis*, Osborne-street, Whitechapel, Middlesex, ale merchant, April 12 at 11, Court of Bankruptcy, London.—*Henry Edw. Stevens*, Grays, Essex, grocer, April 12 at 1, Court of Bankruptcy, London.—*John Wintle*, Shirehampton, Westbury-upon-Trym, Gloucestershire, innkeeper, April 10 at 11, District Court of Bankruptcy, Bristol.—*Hen. Cogswell*, Wotton-under-Edge, Gloucestershire, paper maker, April 12 at 11, District Court of Bankruptcy, Bristol.—*Edward Howitt*, Lincoln, miller, April 18 at 10, District Court of Bankruptcy, Kingston-upon-Hull.—*Wm. Parrott*, Leicester, stonemason, April 13 at 10, District Court of Bankruptcy, Nottingham.—*Wm. Bedells*, Leicester, paper dealer, April 13 at 11, District Court of Bankruptcy, Nottingham.—*Thomas Core*, Stamford, Lincolnshire, innkeeper, April 13 at 10, District Court of Bankruptcy, Nottingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 10.

Francis Thompkins, Sidney-street, Fulham-road, Middlesex, bill broker.—*Jose Artus*, Pall-mall, Opera-colonnade, Middlesex, cigar importer.—*Geo. Thos. Saltmarsh*, Houndsditch, London, wine merchant.—*John Henry Howard*, Cheltenham, Gloucestershire, oil merchant.—*John Hignell*, Colchester, Essex, grocer.—*Wm. Abbott* and *Wm. Abbott* the younger, Bermondsey-street, Southwark, Surrey, patent hair felt manufacturers.—*Wm. Corns* the younger, Wolverhampton, Staffordshire, builder.—*W. Linley*, Conisbrough, Yorkshire, scythe manufacturer.—*Geo. Fred. Widnall*, Edgeware-road, Paddington, Middlesex, stationer.—*John Ranaford*, Leamington-priors, Warwickshire, coal merchant.—*Thos. Fred. Beales*, William-street, Knightsbridge, Middlesex, wine merchant.

FIAT ANNULLED.

Thomas Stafford the younger, St. John-st., West Smithfield, Middlesex, pawnbroker.

PARTNERSHIP DISSOLVED.

J. Collins and *H. A. Rigley*, Crescent-place, Bridge-street, Blackfriars, London, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

John Cameron, Glasgow, wine merchant.—*Jas. Higgins*, Glasgow, baker.—*James Cuthill*, Paisley, manufacturer.—*Taylor & Muir*, Kilmarnock, grocers.—*Nicoll & Co.*, Dundee, tea merchants.—*Alexander Gillon*, Glasgow, storekeeper.—*James Browning*, Glasgow, saddler.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Saml. Baraclough, Tamworth, Staffordshire, shoemaker, March 31 at half-past 11, County Court of Warwickshire, at Tamworth.—*Thomas Keyworth*, Lanebam, Nottinghamshire, innkeeper, April 4 at 11, County Court of Nottinghamshire, at East Retford.—*Thomas Homer*, West Bromwich, Staffordshire, baker, March 24 at 3, County Court of Staffordshire, at Oldbury.—*Wm. Hewett*, Tiverton, Devonshire, victualler, April 12 at 10, County Court of Devonshire, at Tiverton.—*P. Leach*, Silverton, Devonshire, out of business, April 12 at 10, County Court of Devonshire, at Tiverton.—*Richard Wilty*, Great Driffield, Yorkshire, tailor, March 31 at 10, County Court of Yorkshire, at Great Driffield.—*John Nelson*, Bury, Lancashire, operative cotton spinner, April 11 at 12, County Court of Lancashire, at Bury.—*John Wm. Benbow*, Hanley Castle, Worcestershire, farmer, April 13 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Joseph Yeend*, Berrow, near Ledbury, Worcestershire, out of business, April 13 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*William Vaughan*, North Malvern, Great Malvern, Worcestershire, plumber, April 13 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Samuel Smith*, Leicester, joiner, April 12 at 10, County Court of Leicestershire, at Leicester.—*John Dancaster*, Brighton, Sussex, plumber, March 31 at 10, County Court of Devonshire, at Exeter.—*John White*, Stockland, Devonshire, yeoman, April 9 at 10, County Court of Devonshire, at Axminster.—*James Shaw*, Liverpool, lodging-house keeper, March 26 at 10, Liverpool District County Court, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 3 *at* 11, *before the* CHIEF COMMISSIONER.

Matthew G. White, Augustus-street, Hampstead-road, Middlesex, retired officer in the East India Company's Service.—*Wm. T. Haines*, Upper Fitzroy-street, Fitzroy-sq., Middlesex, clerk in the General Post-office.

April 3 *at* 11, *before Mr. Commissioner* HARRIS.

C. W. Burrows, Macclesfield-terrace, York-st., City-road, Middlesex, baker.—*Joseph Cowell* the elder, Queen's-row, Pimlico, Middlesex, printer.—*Fred. Till*, Prospect-terrace, Haggerstone, Middlesex, out of employ.

April 3 *at* 11, *before Mr. Commissioner* PHILLIPS.

J. M'Ardell, West Ham, Essex, licensed retailer of beer.

April 5 *at* 10, *before Mr. Commissioner* LAW.

Robt. Campion, Jerusalem-gardens, Hackney, Middlesex, waiter.—*Chas. H. Biaggini*, George's-buildings, Hoxton-sq., Middlesex, merchant's clerk.—*Wm. Huxen*, Brook-street, Ratcliff, Middlesex, potato dealer.

Saturday, March 17.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Charles Wyatt the younger, South Lambeth, Surrey, railway clerk, No. 60,423 T.; John Freshfield, assignee.—*James Emery*, Manchester, baker, No. 68,748 C.; Oswald Dumville, assignee.—*James Marsden*, Dewsbury, Yorkshire, hat manufacturer, No. 70,640 C.; John Graham Berry, assignee.—*Mary Simpson*, White Abbey, near Bradford, Yorkshire, widow, No. 70,679 C.; William Webster, assignee.—*J. Wilson*, Holbeck, near Leeds, Yorkshire, joiner, No. 70,613 C.; William Singleton, assignee.

Saturday, March 17.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Wm. Littlewood, Farncomb, Godalming, Surrey, attorney at law: in the Gaol of Surrey.—*John Webber*, Salisbury-st., Portman-market, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Wm. Stokely*, James-street, Featherstone-st., St. Luke's, Middlesex, coach smith: in the Debtors Prison for London and Middlesex.—*George Cox*, Hardinge-st., Islington, Middlesex, working optician:

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in the Debtors Prison for London and Middlesex.—*Wm. Woodward*, South-st., West-square, Lambeth, Surrey, sack collector: in the Queen's Prison.—*Ed. Stanley*, Milton-st., Dorset-square, Middlesex, captain in the Royal Navy: in the Queen's Prison.—*Jas. Marshall*, Clifton-st., Finsbury, Middlesex, manager of a pewterer's business: in the Debtors Prison for London and Middlesex.—*Geo. Forey*, Whitecross-st., London, lamp manufacturer: in the Debtors Prison for London and Middlesex.—*Wm. Allen*, Union-street, Spitalfields, Middlesex, and Caddington-beds, bricklayer: in the Debtors Prison for London and Middlesex.—*Horatio Mahomed*, Little Ryder-st., Westminster, and Burton-st., Burton-crescent, Middlesex, bath proprietor: in the Queen's Prison.—*Henry Edward Dawson*, Broad-st., Bloomsbury, Middlesex, shoemaker: in the Queen's Prison.—*Geo. West*, Whitecross-st., Old-st., St. Luke's, Middlesex, baker: in the Queen's Prison.—*Letitia Elizabeth Prescott*, Burton-st., Eaton-sq, Pimlico, Middlesex, widow: in the Queen's Prison.—*William Neely* the elder, Church-st., Westminster, Middlesex, out of business: in the Gaol of Horsemonger-lane.

(On Creditors' Petition).

James Cathie, Porchester-row, Westbourne-grove, Middlesex, plasterer: in the Queen's Prison.

(On their own Petitions).

Wm. Parsons the younger, Mistley, Essex, plumber: in the Gaol of Chelmsford.—*Christopher Rogers*, Aveton-Gifford, Devonshire, mason: in the Gaol of St. Thomas the Apostle.—*Wm. John Goulten*, Bristol, accountant: in the Gaol of Bristol.—*Jas. Aykroyd*, Manchester, furniture broker: in the Gaol of Lancaster.—*Isaac Leedham*, Clifton, Bristol, dealer in railway shares: in the Gaol of Bristol.—*William F. Morris*, Lower Easton, St. George, Gloucestershire, assistant to a publican: in the Gaol of Bristol.—*Wm. Saul*, Preston, Lancashire, joiner: in the Gaol of Lancaster.—*J. Turnbull*, Manchester, painter: in the Gaol of Lancaster.—*Wm. Wild*, Manchester, marble mason: in the Gaol of Lancaster.—*F. Ashworth*, Blackburn, Lancashire, assistant to a linen draper: in the Gaol of Lancaster.—*Geo. Coles* the younger, Milton, next Gravesend, Kent, coach painter: in the Gaol of Maidstone.—*Jos. Gardner*, Dudley, Worcestershire, clothier: in the Gaol of Coventry.—*Thos. Smeed*, Frant, Sussex, tailor: in the Gaol of Maidstone.—*Daniel Waters*, Liverpool, grocer: in the Gaol of Lancaster.—*John Anstey*, Birmingham, provision dealer: in the Gaol of Warwick.—*Thos. Haigh*, Sheffield, Yorkshire, brass founder: in the Gaol of Sheffield.—*J. Pearson*, Sheffield, Yorkshire, shopkeeper: in the Gaol of Sheffield.—*Chas. Sampson*, St. Paul's, Bristol, boot maker: in the Gaol of Gloucester.—*Hannah Idle*, Leeds, Yorkshire, innkeeper: in the Gaol of York.

(On Creditors' Petition).

Henry Powell, Totton, Eling, Southampton, yeoman: in the Gaol of Hants.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 5 at 10, before Mr. Commissioner LAW.

Henry Nelson, Enfield-road, Kingsland, West Hackney, Middlesex, selling drapery goods on commission.—*James Leigh*, Pickering-place, Paddington, modeller.—*Ed. Reeves*, Assendon, near Henley, Oxford, licensed victualler.—*Alfred Thornberry Hatch*, Blenheim-place, High-st., Peckham, Surrey, licensed victualler.—*Wm. Robert Lambert*, Hampstead, Middlesex, toll-gate keeper.—*Wm. Crofts*, Vauxhall-walk, Lambeth, Surrey.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northamptonshire, at NORTHAMPTON, *April 9.*

John Boswell, Farthinghoe, near Brackley, Northamptonshire, baker.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Wharrie, Otley, Yorkshire, tinner, March 21, Blackburn's, Leeds: 3*s.* 10½*d.* in the pound.

FRIDAY, MARCH 23.

BANKRUPTS.

ALFRED MOSE, Cambridge, grocer, dealer and chapman, March 30 at 11, and May 4 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. White, Cambridge; Nicholls & Doyle, 48, Bedford-row.—Fiat dated March 20.

GEORGE CORRIE, Bowling-street, Westminster, Middlesex, smith and engineer, April 4 and May 4 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Heather & Moger, 17, Paternoster-row.—Fiat dated March 22.

JAMES PEACHEY, Middle Borough, Colchester, Essex, coachmaker, March 29 at 2, and May 14 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Cross, 28, Surrey-street, Strand.—Fiat dated March 19.

GEORGE SMITH, Wimpole, Cambridgeshire, carpenter and builder, dealer and chapman, March 29 at 1, and May 7 at 2, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Peed, Cambridge; Smith, 15, Furnival's-inn.—Fiat dated March 20.

THOMAS PARKER TAYLOR, Duke-st., Manchester-square, Middlesex, milliner and laceman, March 29 at half-past 1, and May 7 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Collins & Co., Crescent-place, Bridge-street.—Fiat dated March 21.

GEORGE RACKHAM, Southtown, otherwise Little Yarmouth, Suffolk, wine merchant, April 2 at 1, and May 14 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Woods, Great Yarmouth; Maples & Co., Frederick's-place, Old Jewry.—Fiat dated March 17.

ADAM BROWN, Mount-street, Whitechapel, Middlesex, draper, dealer and chapman, March 30 at 11, and May 12 at half-past 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Gregory, Wax Chandlers'-hall, Gresham-street.—Fiat dated March 21.

CHARLES BARNETT, Basinghall-st., London, account book manufacturer, stationer, and printer, March 30 at 12, and May 12 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Colley, Aldermanbury.—Fiat dated March 22.

FREDERICK GEORGE FACON, Church-street, Borough, Surrey, plumber, glazier, and glass dealer, dealer and chapman, April 4 at 1, and May 10 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Selby & Mackeson, 56, Lincoln's-inn-fields.—Fiat dated March 15.

THOMAS TEBBIT, Soham, Cambridgeshire, victualler, dealer and chapman, March 29 at half-past 12, and May 3 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Wilkins, Furnival's-inn.—Fiat dated March 20.

STEPHEN WISE, Conduit-st. South, Paddington, Middlesex, plumber, April 3 at 11, and May 1 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Dolman, 39, Jermyn-street, St. James's.—Fiat dated March 21.

THOMAS FLOYD, Wendover, Buckinghamshire, cattle dealer, April 5 at 12, and May 9 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Benson, Aylesbury; Branscombe, Wine Office-court, Fleet-street.—Fiat dated March 22.

THOMAS PEARSON, Blandford-street, Portman-square, Middlesex, butterman, cheese-factor, dealer and chapman, April 3 at 1, and May 1 at half-past 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Bromley & Aldridge, 1, South-square, Gray's-inn.—Fiat dated March 22.

VALENTINE RIMELL, Hammersmith, Middlesex, timber merchant, dealer and chapman, April 3 at 12, and May 1 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Watson & Sons, 12, Bouverie-street, Fleet-street.—Fiat dated March 12.

WILLIAM LLOYD, Modely and Wryne Hill, Staffordshire, linen draper, dealer and chapman, April 11 and May 2 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham; Jones, Sise-lane, London.—Fiat dated March 5.

ANDREW PATON HALLIDAY and ELIZA PATON, Cornbrook, Hulme, Manchester, manufacturing chemists, (and carrying on business together at Cornbrook, and Salford, under the style or firm of Andrew Paton & Son, as manufacturing chemists), April 4 and May 3 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Rowley & Taylor, Manchester; W. & H. P. Sharp, 2, Verulam-buildings, Gray's-inn, London.—Fiat dated March 19.

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WILLIAM THOMAS, Aberdare, Glamorganshire, grocer, dealer and chapman, April 10 and May 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Bird, Cardiff; Rowland & Co., Threadneedle-street.—Fiat dated March 17.

JONAS JEYS, Moreton in Marsh, Gloucestershire, boot and shoe maker, April 5 at 11, and May 3 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Tilsley, Moreton in Marsh; Brittan & Sons, Bristol; Sharpe & Co., Bedford-row, London.—Fiat dated March 17.

WILLIAM RAMSDEN, Wakefield, Yorkshire, painter and dealer in paint and oil colours, April 5 and May 11 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Taylor & Westmorland, Wakefield; Gregory & Co., Bedford-row, London.—Fiat dated March 21.

FRANCIS KING, Northallerton, Yorkshire, innkeeper, dealer and chapman, April 5 and May 11 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Coates, Northallerton; Markland, Leeds; Williamson & Hill, Great James's-street, London.—Fiat dated March 19.

JOSEPH MYCOCK, Longsight, near Manchester, publican and licensed victualler, April 5 and 26 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Andrew, Manchester; Smith, Lincoln's-inn-fields, London.—Fiat dated Feb. 27.

MARY WHITTAKER, Clitheroe, Lancashire, innkeeper, dealer and chapwoman, April 11 and 30 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Hall & Baldwin, Clitheroe; Walcot & Carr, 13, St. Swithin's-lane, London.—Fiat dated March 17.

MEETINGS.

James Grant Smith, Bath, Somersetshire, common brewer, April 12 at 11, District Court of Bankruptcy, Bristol, pr. d.—*Francis Tombs*, Cheltenham, Gloucestershire, miller, April 10 at 12, District Court of Bankruptcy, Bristol, sp. aff.—*Wm. Stothert, Geo. Wood, John W. Little, John C. Spender, Wm. Brunton, Joe. Rusher*, and *Wm. Hen. Buckland*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturers, April 3 at 11, District Court of Bankruptcy, Bristol, last ex. of *Wm. Stothert*.—*C. S. Fenwick*, Tynemouth, Northumberland, banker, April 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Caleb Bell*, Darlington, Durham, whitesmith, April 17 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Helen Watts*, Cook's-grounds, Saint Luke, Chelsea, Middlesex, out of business, April 17 at 12, Court of Bankruptcy, London, aud. ac.—*James P. Withers*, Winchester, draper, April 17 at 12, Court of Bankruptcy, London, aud. ac.—*Stephen Noden*, Swinton-street, Gray's-inn-road, Middlesex, rug manufacturer, April 14 at 11, Court of Bankruptcy, London, aud. ac.—*Stephen Keen* and *W. Longford*, John-street, Pentonville, Middlesex, brewers, April 17 at 12, Court of Bankruptcy, London, aud. ac.—*Newark Lax* and *Edward Lax*, Berry Edge, Durham, grocers, April 16 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Garret*, Newcastle-upon-Tyne, bookseller, April 20 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Wilkinson*, Hartlepool, Durham, draper, April 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Blake*, Sunderland, Durham, edge tool manufacturer, April 16 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Edward Gartside*, Preston, Lancashire, draper, April 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Alex. Duranty*, Liverpool, merchant, April 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 17 at 11, div.—*John Greenshields* and *Matthew Strang*, Liverpool, merchant, April 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 17 at 11, div. joint and sep. est.—*James Giro*, Moorgate-street, London, merchant, April 17 at 11, Court of Bankruptcy, London, div.—*Wm. Bruce*, Albany-street, Regent's-park, Middlesex, baker, April 17 at half-past 11, Court of Bankruptcy, London, div.—*John De Levante*, Wood-street, Cheapside, London, shirt maker, April 13 at 12, Court of Bankruptcy, London, div.—*James De Bernardy*, Hanover-street, Hanover-square, Middlesex, victualler, April 13 at 12, Court of Bankruptcy, London, div.—*J. Summers*, Cambridge, cabinet maker, April 14 at 11, Court of Bankruptcy, London, div.—*P. Wm. Smith*, Bristol, currier, April 20 at 11, District Court of Bankruptcy, Bristol, div.—*E. Jennings*, Horsforth, Yorkshire, corn miller, April 23 at 1, District Court of Bankruptcy, Leeds, div.—*Joseph Fielding* and *Jeremiah Fielding*, Catterall, and Manchester, calico printers, April 13 at 11, District Court of Bankruptcy, Manchester, fin. div.—*John Perry*, Birmingham, maltster, April 14 at 12, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Helen Watts, Cook's-grounds, Chelsea, Middlesex, out of business, April 17 at 12, Court of Bankruptcy, London.—*G. J. Gladstone*, Brunswick-street, Blackwall, Poplar, and Willis-street, Bromley, Middlesex, builder, April 16 at 11, Court of Bankruptcy, London.—*John Wm. Yell*, Walworth-place, Walworth-road, Surrey, tailor, April 16 at half-past 12, Court of Bankruptcy, London.—*Thos. Thompson*, Halsey-terrace, Chelsea, Middlesex, carpenter, April 13 at 11, Court of Bankruptcy, London.—*Thos. C. Dixon*, Gravesend, Kent, oilman, April 17 at 11, Court of Bankruptcy, London.—*James Summers*, Cambridge, cabinet maker, April 14 at 11, Court of Bankruptcy, London.—*Joel Boulton*, Tooley-street, Southwark, Surrey, out of business, April 14 at 12, Court of Bankruptcy, London.—*Wm. Robarts*, Burnham, Buckinghamshire, apothecary, April 13 at 11, Court of Bankruptcy, London.—*Stephen Noden*, Swinton-st., Gray's-inn-road, Middlesex, rug manufacturer, April 14 at 11, Court of Bankruptcy, London.—*George Dover*, Cheltenham, Gloucestershire, builder, April 17 at 11, District Court of Bankruptcy, Bristol.—*A. Harris*, Dursley, Gloucestershire, wool broker, April 17 at 11, District Court of Bankruptcy, Bristol.—*W. Wylam* and *J. Greene* the younger, Newcastle-upon-Tyne, merchants, April 16 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*J Forster*, Shafto, Hartburn, Northumberland, banker, April 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*J. Swindell*, Ardwick, Manchester, plumber, April 13 at 12, District Court of Bankruptcy, Manchester.—*T. Henley*, Birmingham, glass cutter, May 16 at 12, District Court of Bankruptcy, Birmingham.—*C. H. Hushinson*, Birmingham, licensed victualler, April 24 at 10, District Court of Bankruptcy, Birmingham.—*John Podmore*, Tunstall, Wolstanton, Staffordshire, grocer, April 17 at 11, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 13.

John Berkley, Newcastle-upon-Tyne, merchant.—*J. Giles*, Shoreditch, Middlesex, clothier.—*G. F. Henry*, Liverpool, vinegar brewer.—*G. T. Arnold*, Liverpool, news agent.—*B. J. Mander*, Mark, Somersetshire, draper.—*Samuel Amos*, Hanley, Staffordshire, scrivener.—*Fras. C. Matthews*, Great Driffield, Yorkshire, manufacturing chemist.—*R. B. Seak*, Leytonstone, Essex, lodging-house keeper.—*Jos. P. Shuttleworth*, Birmingham, mathematical instrument maker.—*Edm. Briggs*, Castleton Mills, near Rochdale, Lancashire, hatter.—*John Pearson*, Middleton, Yorkshire, miller.—*Thomas T. Haydon*, Wandsworth, Surrey, butcher.—*Chris. Morgan*, Leeds, Yorkshire, tea dealer.

SCOTCH SEQUESTRATIONS.

James Mitchell, South Briggs, Carnousie, Forglen, Banffshire, farmer.—*Walter M'Farlane*, Glasgow, stock broker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Anderson, Botchergate, Carlisle, Cumberland, shoemaker, March 27 at half-past 9, County Court of Cumberland, at Carlisle.—*Henry R. Leddell*, Slough, Upton-cum-Chalney, Buckinghamshire, ironmonger, April 4 at 10, County Court of Berkshire, at Windsor.—*Henry Hedges*, First-street, Marlborough-road, Chelsea, Middlesex, in no business, March 29 at half-past 10, County Court of Berkshire, at Farringdon.—*John Moses Burdall*, Billinghay, Lincolnshire, veterinary surgeon, April 13 at 11, County Court of Lincolnshire, at Sleaford.—*Geo. Timbrell* the younger, Winchcomb, Gloucestershire, cordwainer, April 11 at 10, County Court of Gloucestershire, at Winchcomb.—*James Harper*, Abbey Dore, Herefordshire, farmer, April 12 at 10, County Court of Herefordshire, at Hereford.—*C. Coate*, Fivehead, Somersetshire,

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farmer, April 11 at 11, County Court of Somersetshire, at Langport.—*John Cole*, Cherry Burton, near Beverley, East Riding, Yorkshire, joiner, March 30 at 11, County Court of Yorkshire.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 10 *at* 10, *before Mr. Commissioner* LAW.

Thos. A. F. Reynolds, Endsleigh-street, Euston-square, Middlesex, attorney at law.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 7 *at* 10, *before Mr. Commissioner* LAW.

George Strutt, Richard-pl., East-st., Walworth, Surrey, dealer in building materials.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, *April* 9.

Charles Sampson, Bristol, out of business.

At the County Court of Lincolnshire, at LINCOLN, *April* 9 *at* 11.

Joseph Nash, Market Rasen, out of business.—*Robert Thompson*, Bicker, near Boston, in no business.—*John Mackrill* the younger, Great Grimsby, in no business.

At the County Court of Kent, at MAIDSTONE, *April* 7 *at* 12.

Thos. Sneed, Tonbridge Wells, tailor.—*Frederick Joseph Edgcombe*, Sheerness, licensed victualler.

At the County Court of Monmouthshire, at MONMOUTH, *April* 27.

John Davis, Newport, blacksmith.—*George Morris*, Garnvach, near Nantyglo, grocer.

At the County Court of Warwickshire, at WARWICK, *April* 23.

John Anstey, Birmingham, dealer in provisions.

At the County Court of Buckinghamshire, at AYLESBURY, *April* 10 *at* 12.

Thomas Taylor, Coleshill, blacksmith.

At the County Court of Yorkshire, at SHEFFIELD, *April* 11 *at* 10.

Thomas Haigh, Sheffield, brass caster.—*John Pearson* the younger, Sheffield, retailer of tobacco.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Saint George Lyster, Union-st., Somers'-town, Middlesex, captain in the army on half-pay: 4*s.* 3*d.* in the pound.—*John Yarker*, Cumberland, retired coast officer: 5*s.* 8*d.* in the pound.—*Wm. Geo. Norris*, Sidney-place, King's-road, Chelsea, Middlesex, grocer: 5*s.* 9*d.* in the pound.—*Ed. Gedge*, Skinner-street, Shoreditch, Middlesex, tailor: 6½*d.* in the pound.—*Thomas Ralph*, Liverpool, licensed victualler: 5½*d.* in the pound.—*Wm. Killwick*, Northampton-place, Old Kent-road, Surrey, hosier: 1*s.* 8*d.* in the pound.—*John M'Lellan*, Ebenezer-terrace, Turner-street, Whitechapel-road, Middlesex, surgical instrument maker: 5*s.* 1*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

Andrew Craig, Liverpool, merchant, April 2, Wells's, Liverpool: 1*s.* 4*d.* in the pound.

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The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, MARCH 31, 1849.

In a case reported in The Jurist of last week (*Davenport* v. *Davenport*, part 1, p. 277) was discussed the very strange equitable doctrine of relieving against trespass in the nature of waste. Before discussing the foundation of this doctrine, we will shortly state the propositions that can be deduced from the authorities; and they are these:—If I am *in possession* of an estate, the only or principal value whereof is in the things that grow on the soil, and a stranger comes and cuts down my trees, he may be punished for having done so, by process of law; but the Court of Chancery will not lend its assistance to prevent him from continuing the mischief, because he is a mere trespasser: but if my estate consist of a mine, and the stranger is digging my minerals, or if it consists of a stone quarry or colliery, and he is taking away the stone or coals, then the Court of Chancery will prevent him, although the act is still mere trespass; and the reason of the distinction is, that, in the instance of cutting timber, there is no destruction of the inheritance, whereas taking coal, or stone, or minerals, is taking the substance of the inheritance.

On this it may be observed en passant, that though it does not in general, and it may be it could not well, happen in practice, that any person should persist in cutting the timber on another man's estate, yet if any one should choose, from vindictive or other motives, to incur the risk of paying damage, for the trespass, nothing could prevent his cutting down all the timber on his enemy's estate, unless the owner of the estate could forcibly eject and keep him out.

The next proposition is, that if I lay claim to an estate, but am *out of possession*, whatever may be the vraisemblance of my claim, and whatever might be the evidence which I might be prepared to produce in support of it, if the person in possession will swear by his answer to facts or documents displacing my title, I cannot have the slightest assistance from the Court of Chancery until the hearing of the cause, or until the legal right has been determined in a court of law; and, in the meantime, the person in possession may strip the estate of every tree that graces the face of the earth. It would seem also, that, in such a case, he may even destroy the substance of the inheritance.

It is almost a prostitution of terms to speak of the principle of these doctrines, if by "principle" is meant any rule deducible from ordinary reasoning; but, using the word in the more cramped and artificial sense of legal principle, it seems to depend partly on some feudal notions of property, and partly on some arbitrary, and in our humble view exceedingly absurd, rules of Chancery proceedings. According to the feudal ideas, the land, the soil only, is the inheritance; and such things as trees were despised by our ancestors as mere chattels. Again, from the substantial importance which, during the prevalence of feudal institutions, accrued to the actual possessor of the land, followed the consequent tenderness of the law in permitting any interference with the rights of possession, until the right of any claimant out of possession (who, while out of possession, was useless as a feudal retainer) was so established by the law, that he could in fact procure the possession, and the substantial importance attached to it, for the service of his superior lord.

When the Court of Chancery came, in more modern times, to interfere for the protection of property, it adopted this rule, or, as it would be called by lawyers,

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"principle" of the feudal law, and it combined with such rule the mere technical rule of its own procedure, of giving exclusive credit, on all matters of title, in any interlocutory proceeding, to the answer of the defendant. How such a rule of pleading ever came to exist, has passed the comprehension of eminent judges, and it certainly passes our much more finite understanding. It is, indeed, very difficult to understand why more credit should be given to the oath of a person interested as a defendant, than to the oath of a person interested as plaintiff; still more, why greater credit should be given to the oath of an interested defendant than to that of a disinterested witness for the plaintiff: but such unquestionably is the rule; and if I file a bill, alleging that I am entitled under the will of A., or under a settlement made by A. and B., if the defendant will take upon himself to swear that no such will or no such settlement was ever made, or that an earlier deed was made which gives him title, not all the affidavits of all the most credible persons that the country could produce, could be looked at until the hearing of the cause, or the result of a trial by ejectment.

The result of this agreeable combination is, that, to take an extreme case, though a defendant might be the most notorious liar in his county, he would have a period, ranging from six months to two years, during which he might, without the possibility of hindrance, utterly strip of all its timber an estate, the title to which might turn out ultimately not to be in him. That such is the state of the law has been decided with great reluctance, but, we believe, most correctly, in the case referred to, of *Davenport* v. *Davenport;* but that such a state of the law is an intolerable abomination, must, we think, be apparent to any one who considers it carefully. It rests entirely, as we have said, upon the arbitrary rule of pleading, and the feudal contempt, in regard to real estate, of everything in the nature of a mere chattel.

When the title to personal property is in dispute, although the rule of pleading is maintained in full force, its application becomes mostly harmless, because there arises, almost of necessity, the compensating rule, which is applied even in regard of real estate, if the injury threatened is destructive of the substance of the property in litigation. If, for instance, I claim the title to a mere chattel, which is in the possession of A., A. will be restrained from destroying or parting with it, just as he would be restrained from digging out coal from a colliery, and that, in either case, although he denies my title; and the only reason why timber, and other things which grow out of the land, are not so protected, seems to be, that they are not actually what is termed the inheritance. In the language of common sense, they are, however, as much part of the inheritance as the land itself; they are, at any rate, incidents, and sometimes the most valuable incidents, to property: and we conceive, that, if a country gentleman were told, that, by stripping his estate of all its timber, his inheritance would not be injured, he might well be justified in saying, that such a doctrine would be very bad sense, though it might be very good law.

London Gazettes.

TUESDAY, March 27.

BANKRUPTS.

RICHARD JOHN GOSS, Sidney-street, Stepney, Middlesex, victualler, April 4 and May 8 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Turner, 8, Mount-street, Whitechapel.—Fiat dated March 7.

JOHN EDMUNDS CURTIS, Newport Pagnell, Buckinghamshire, printer and bookseller, dealer and chapman, April 11 and May 8 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Taylor, Bucklersbury, London.—Fiat dated March 22.

JAMES REID, Edgeware-road, Middlesex, and Bexley-heath, Woolwich, Rochester, Chatham, and Maidstone, Kent, draper, April 11 and May 11 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Reed & Co., Friday-st., Cheapside.—Fiat dated March 21.

THOMAS NUNN, Colchester, Essex, coal merchant, dealer and chapman, April 2 at 2, and May 14 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Abell, Colchester; Bull, Ely-place.—Fiat dated March 22.

HENRY WILLIAMS, Park-pl., Kennington-cross, Surrey, ironmonger and smith, dealer and chapman, April 7 at 12, and May 12 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. Wood & Fraser, 78, Dean-st., Soho.—Fiat dated March 27.

JOHN REDINGTON, Moreton, Essex, miller, April 7 at half-past 11, and May 12 at 12, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Hilleary, Fenchurch-st.—Fiat dated March 23.

THOMAS MANDERS, High-row, Knightsbridge, Westminster, Middlesex, victualler, April 5 at half-past 1, and May 10 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Dangerfield, Chancery-lane.—Fiat dated March 26.

HENRY DUNK, Brook, Chatham, Kent, timber merchant, dealer and chapman, April 10 at 2, and May 15 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Nicholls, 9, Cook's-court, Carey-st.—Fiat dated March 27.

ALEXANDER BURN CALLANDER, Mincing-lane, London, corn factor, dealer and chapman, April 10 at 1, and May 15 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Marten & Co., 31, Commercial Sale Rooms, Mincing-lane.—Fiat dated March 20.

JOHN BASKERVILLE, Ludlow, Shropshire, linen draper, dealer and chapman, April 10 and May 1 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham; Jones, Size-lane, London.—Fiat dated March 15.

JAMES COOPER, Newcastle-under-Lyme, Staffordshire, smallware dealer, haberdasher, dealer and chapman, April 4 and May 1 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Harding, Newcastle-under-Lyme.—Fiat dated March 21.

EDWIN BANNISTER, Abbott's Bromley and Hill Ridware, Staffordshire, harness maker, April 10 and May 8 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Crabb, Rugeley.—Fiat dated March 16.

ROBERT ROBERTS, Toxteth-park, near Liverpool, grocer and builder, April 10 and 30 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Morecroft & Son, Liverpool; Chester & Co., Staple-inn, London.—Fiat dated March 23.

JOSEPH FORRESTER, Whitehaven, Cumberland, mercer and draper, April 13 at half-past 10, and May 15 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Perry, Whitehaven; Ingledew, Newcastle-upon-Tyne; Stubbs, 15, Furnival's-inn, London.—Fiat dated March 14.

JOSHUA SIM, Cockermouth, JOSEPH SIM, Braithwaite, and DANIEL SIM, Braithwaite, Cumberland, woollen manufacturers, (carrying on business at Braithwaite, under the firm of Joshua Sim and Sons), April 13 at half-past 10, and May 18 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Ansell, Keswick; Benson, Cockermouth; Dees, Newcastle-upon-Tyne.—Fiat dated March 20.

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Meetings.

Henry Edwards, Saint Alban's, Hertfordshire, coal merchant, April 13 at 11, Court of Bankruptcy, London, ch. ass. —*John Croudson*, Wigan, Lancashire, money scrivener, April 18 at 11, District Court of Bankruptcy, Manchester, last ex. —*James Jessup*, Prince's-street, Notting-hill, and *William Johnson*, Queen's-road, Holloway, Middlesex, builders, April 18 at 12, Court of Bankruptcy, London, aud. ac.—*Richard Wright*, Badwell Ash, Suffolk, baker and shopkeeper, April 18 at 11, Court of Bankruptcy, London, aud. ac.—*Robert Tippler*, Great Tower-st., London, colonial broker, April 17 at 11, Court of Bankruptcy, London, aud. ac.—*William Fuller*, Charles-st., Hatton-garden, Middlesex, lamp manufacturer, April 18 at 11, Court of Bankruptcy, London, aud. ac.—*Benj. Hart Thorold*, Harmston, Lincolnshire, and Willesden, Middlesex, Esq., April 18 at 11, Court of Bankruptcy, London, aud. ac.—*Andrew Smith*, Marylebone-st., Regent-st., and Mill-wall, Poplar, Middlesex, wire rope manufacturer, April 19 at 11, Court of Bankruptcy, London, aud. ac.—*John Taft*, Warwick-road, Paddington, Middlesex, carpenter, April 19 at 11, Court of Bankruptcy, London, aud. ac.—*Francis Clowes*, St. Andrew's, Norwich, auctioneer, April 19 at 11, Court of Bankruptcy, London, aud. ac.—*Patrick Cruickshank*, *John Melville*, and *Wm. Fauntleroy Street*, Austin-friars, London, merchants, April 20 at 11, Court of Bankruptcy, London, aud. ac.—*Lewis Rudge*, Great Barford-villa, Great Barford, Bedfordshire, apothecary, April 19 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas Wren*, Preston, Lancashire, sharebroker, April 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.; April 25 at 12, div.—*Sibson Rigg*, Manchester and Salford, Lancashire, cotton spinner, April 24 at 11, District Court of Bankruptcy, Manchester, aud. ac.; April 25 at 11, div.—*Jas. Burt* and *Jas. Burt* the younger, Manchester, and *Wm. Tottie Watson*, Leeds, Yorkshire, commission-agents, April 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.; April 24 at 12, div. sep. est. of *William Tottie Watson*.—*James Roe*, Manchester, drysalter, April 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Clayton*, Langcliffe, Yorkshire, *William Clayton*, Lostock, in Walton-le-Dale, and *Wm. Wilson*, Preston, Lancashire, bankers, April 19 at 12, District Court of Bankruptcy, Manchester, aud. ac. sep. est. of *W. Clayton*, of Langcliffe. —*Wm. Wood*, Shrewsbury, Shropshire, wine merchant, April 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac. —*Orlando Pidgeon*, Shrewsbury, Shropshire, tobacconist, April 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Howitt*, Strand, Middlesex, bookseller, April 19 at 11, Court of Bankruptcy, London, div.—*Jas. King*, jun., Budge-row, London, wholesale tea dealer, April 19 at half-past 11, Court of Bankruptcy, London, div.—*Norman Bruce*, Farringdon-st., London, printer, April 19 at half-past 11, Court of Bankruptcy, London, div.—*Richard Jewesson*, Great Winchester-st., London, merchant, April 19 at 11, Court of Bankruptcy, London, div.—*Thos. Wright*, Poland-st., Oxford-st., Middlesex, builder, April 20 at 11, Court of Bankruptcy, London, div.—*Chas. Moore Mottram*, Friday-st., Cheapside, London, warehouseman, April 20 at 1, Court of Bankruptcy, London, div.—*Helen Watts*, Cook's-grounds, Chelsea, Middlesex, out of business, April 20 at half-past 11, Court of Bankruptcy, London, div.—*John Henry Caton*, Stondon Massey, Essex, cattle dealer, April 17 at 1, Court of Bankruptcy, London, div.—*Wm. Matthews Hill*, Charlton-place, Islington, Middlesex, builder, April 17 at 11, Court of Bankruptcy, London, div.—*Blades Pallister*, West-street, Gravesend, Kent, innkeeper, April 17 at 1, Court of Bankruptcy, London, div.—*George Atkins Soar*, Great Marlborough-st., St. Marylebone, Middlesex, lead merchant, April 19 at half-past 12, Court of Bankruptcy, London, div.—*B. Cook* the elder, Birmingham, brass founder, April 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*James Knight*, Wigan and Haydock, Lancashire, butcher, April 18 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Ed. Gartside*, Preston, Lancashire, draper, April 19 at 12, District Court of Bankruptcy, Manchester, div.—*Edward Leman*, Church-row, Newington, Surrey, and *Thomas Kinsman Bryan*, Old Swan Pier, Upper Thames-street, London, wharfingers, April 19 at 1, Court of Bankruptcy, London, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Fuller, Charles-st., Hatton-garden, Middlesex, lamp manufacturer, April 18 at 11, Court of Bankruptcy, London. —*Wm. Johnson*, West Drayton, Middlesex, farmer, April 18 at 11, Court of Bankruptcy, London. — *George Andrews Cawse*, Claremont-terrace, Prince of Wales-road, Hampstead-road, Middlesex, builder, April 19 at 1, Court of Bankruptcy, London.—*Jas. Barnett* and *T. Hancock*, Conduit-street, Regent-st., Middlesex, shoemakers, April 19 at half-past 1, Court of Bankruptcy, London.—*John Spikins*, Dartmouth-row, Westminster, Middlesex, carpenter, April 20 at 11, Court of Bankruptcy, London.—*Thos. Tyson*, Whitehaven, Cumberland, builder, April 20 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*James Bairnsfather Scott*, Denham-springs, near Chorley, and Manchester, Lancashire, calico printer, April 23 at 12, District Court of Bankruptcy, Manchester.—*Robert Wilson Smiles*, Blackburn, Lancashire, bookseller, April 18 at 11, District Court of Bankruptcy, Manchester.—*Wm. Yerbury Dent*, Leeds, Yorkshire, manufacturing and agricultural chemist, April 20 at 11, District Court of Bankruptcy, Leeds.—*George Addison*, Tipton, Staffordshire, builder, April 24 at 11, District Court of Bankruptcy, Birmingham.—*Wm. Roden*, Evelith, Shiffnal, Shropshire, miller, April 24 at 11, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 17.

Edward Taylor, Perthyre Mill, Rockfield, Monmouthshire, miller.—*Edw. Ellis*, Wednesbury, Staffordshire, builder.—*Thomas Lyon*, Birchin-lane, London, stockbroker.—*A. K. Taylor*, Ledbury, Herefordshire, draper. — *George Price*, Wolverhampton, Staffordshire, printer.—*John Bird*, North Shields, Northumberland, linen draper.—*J. Pinmore*, Lower Brook-street, Grosvenor-sq., Middlesex, coffee-house keeper. — *Henry Cook*, Studley, Warwickshire, needle manufacturer.—*Robert Swan*, Winehmore-hill, Middlesex, dealer in cattle.—*W. Jones*, Beckford-row, Walworth, Surrey, grocer. —*Thomas Hutchinson*, Upper Stamford-street, Blackfriars-road, Surrey, sugar refiner.

Partnerships dissolved.

Wm. Jeary Cannon and *Wm. P. Browne*, (under the style or firm of Cannon & Browne), Cambridge, solicitors and attornies.—*P. W. Fry*, *John Loxley*, and *Peter Saml. Fry* (under the style or firm of Fry, Loxley, & Fry), Cheapside, solicitors.

Scotch Sequestrations.

J. Young, jun., deceased, and *Geo. Young*, Glasgow, merchant.—*Duncan M'Arthur*, Greenock, woollen draper.—*Janet Dunsmore*, Cults, near Whithorn, Wigtown, shipowner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Humber, Lane-end, Potteries, Staffordshire, clogger, March 29 at 10, County Court of Staffordshire, at Hanley.—*John Punchard*, Bootle-cum-Linacre, Walton-on-the-Hill, Lancashire, hair dresser, April 2 at 10, Liverpool District County Court, at Liverpool.—*George Chalklen*, New Brompion, Gillingham, Kent, beer retailer, April 12 at 10, County Court of Kent, at Rochester.—*Thos. Kent*, Longton, Stoke-upon-Trent, Staffordshire, beerseller, March 29 at 10, County Court of Staffordshire, at Hanley.—*Edward Clemmy*, Chorlton-upon-Medlock, Manchester, joiner, April 13 at 1, County Court of Lancashire, at Manchester.—*Thomas Hewick*, Manchester, shoemaker, April 13 at 1, County Court of Lancashire, at Manchester.—*Harry Alexander Small*, Haversham, Buckinghamshire, clerk of Haversham Rectory, April 17 at 12, County Court of Buckinghamshire, at Newport Pagnel.—*Jos. Towler*, Manchester, hatter, April 13 at 1, County Court of Lancashire, at Manchester.—*Thomas Fry*, Ulcomb, Kent, farmer, April 7 at 12, County Court of Kent, at Maidstone. —*Wm. Edmeads*, Maidstone, Kent, china dealer, April 7 at 12, County Court of Kent, at Maidstone.—*John Collins*, Lenham, Kent, innkeeper, April 7 at 12, County Court of Kent, at Maidstone.—*John Pigott*, Marton, Cheshire, farmer,

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April 3 at 11, County Court of Cheshire, at Northwich.—*Isaac Smith*, Kerealey, near Coventry, Warwickshire, market gardener, April 25 at 2, County Court of Warwickshire, at Coventry.—*John Riseley*, Northampton, baker, April 9 at half-past 10, County Court of Northamptonshire, at Northampton.—*John Payne*, Coventry, Warwickshire, ribbon weaver, April 25 at 2, County Court of Warwickshire, at Coventry.—*John Cooper*, Coventry, Warwickshire, out of business, April 25 at 2, County Court of Warwickshire, at Coventry.—*H. Coleman*, Spilsby, Lincolnshire, common carrier, April 11 at 12, County Court of Lincolnshire, at Spilsby.—*Edw. D. Stones*, Burgh in the Marsh, near Spilsby, Lincolnshire, ironmonger, April 11 at 12, County Court of Lincolnshire, at Spilsby.—*Fred. Gurnell*, Horncastle, Lincolnshire, coach maker, April 12 at 10, County Court of Lincolnshire, at Horncastle.—*Wm. Johnson*, Horncastle, Lincolnshire, coach maker, April 12 at 10, County Court of Lincolnshire, at Horncastle.—*Thomas Halliday*, Huddersfield, Yorkshire, currier, April 12 at 10, County Court of Yorkshire, at Huddersfield.—*John Marshall*, Horncastle, Lincolnshire, brewer's drayman, April 12 at 10, County Court of Lincolnshire, at Horncastle.—*Jos. Cliffe*, Huddersfield, Yorkshire, labourer, April 12 at 10, County Court of Yorkshire, at Huddersfield.—*Jonathan Swallow*, Lockwood, Almondbury, Yorkshire, merchant, April 12 at 10, County Court of Yorkshire, at Huddersfield.—*Matthew Crossley*, Halifax, Yorkshire, shoemaker, April 11 at 10, County Court of Yorkshire, at Halifax.—*M. Robinson*, Shotton Colliery, near Haswell, Durham, coal miner, April 26 at 10, County Court of Durham, at Durham.—*Wm. Harrison*, Barnard Castle, Durham, straw bonnet manufacturer, April 19 at 10, County Court of Durham, at Barnard Castle.—*J. H. B. Gurney*, Paul, Cornwall, solicitor, April 10 at 10, County Court of Cornwall, at Penzance.—*Geo. Line*, Steeple Ashton, Wiltshire, blacksmith, April 13 at 12, County Court of Wiltshire, at Trowbridge.—*Thomas Simpson*, Leckhampton, Gloucestershire, road contractor, April 17 at 10, County Court of Gloucestershire, at Cheltenham.—*George Tinkler*, Cheltenham, Gloucestershire, cooper, April 17 at 10, County Court of Gloucestershire, at Cheltenham.

Saturday, March 24.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Uriah Plant, Winsford, near Over, Cheshire, bookkeeper, No. 70,180 C.; John D. Eshelby, assignee.—*Fred. Thame Hoswell*, Chancery-lane, London, gentleman, No. 60,382 T.; Chas. A. Shaw, assignee.—*James Green*, Deep Carr, Ecclesfield, Yorkshire, farmer, No. 29,838 C.; Abraham Windle, sole assignee.—*Joseph Green*, Deep Carr, Ecclesfield, Yorkshire, farmer, No. 29,839 C.; Abraham Windle, sole assignee.

Saturday, March 24.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Grant, Gracechurch-st., London, fishmonger: in the Debtors Prison for London and Middlesex.—*Philip Slade*, Sale-st., Paddington, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*W. Mills*, Whittington-place, Upper Holloway, Middlesex, statuary: in the Debtors Prison for London and Middlesex.—*Edwin Jeanes*, York-st., Blackfriars-road, Surrey, licensed victualler: in the Gaol of Horsemonger-lane.—*Francis Claridge*, Brook-st., Bond-st., Middlesex, wine merchant: in the Queen's Prison.—*Rebecca Downing*, widow, Wellington-st., Southwark, Surrey: in the Queen's Prison.—*John Moser*, Mortimer-st., Cavendish-sq., Middlesex, upholsterer: in the Queen's Prison.—*William Hopkins*, Prince's-road, Bermondsey, Surrey, foreman to a grocery keeper: in the Gaol of Horsemonger-lane.—*Wm. Canavan*, Warren-st., Fitzroy-sq., Middlesex, gilder: in the Debtors Prison for London and Middlesex.—*Wm. B. Dear*, Brownlow-street, Holborn, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*Jos. Ainsworth*, Guildford-place, Bagnigge-wells-road, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Anthony Bustin*, Stockwell-cottages, Stockwell-green, Stockwell, Surrey, accountant: in the Gaol of Horsemonger-lane.—*Thomas Clift* the younger, Gracechurch-st., London, baker: in the Debtors Prison for London and Middlesex.—*Edw. V. Crotty*, Hemus-terrace, King's-road, Chelsea, Middlesex, attorney at law: in the Queen's Prison.—*Henry Defries*, Duke-street, West Smithfield, London, traveller for the sale of lamp glass: in the Debtors Prison for London and Middlesex.—*W. Jones*, Berkeley-st., West Connaught-sq., Edgware-road, Middlesex, clerk to a tea dealer: in the Debtors Prison for London and Middlesex.—*J. Robertson*, Lorn-road, Brixton-road, Surrey, editor of a newspaper: in the Queen's Prison.—*Fred. Joseph Edgcombe*, Blue-town, Sheerness, Isle of Sheppey, Kent, licensed victualler; in the Gaol of Maidstone.—*Jas. Emery*, Hulme, Manchester, flour dealer: in the Gaol of Lancaster.—*Joseph Swallow*, Salford, Lancashire, painter: in the Gaol of Lancaster.—*Robert Stephenson*, Sunderland, near the Sea, Durham, cartwright: in the Gaol of Durham.—*Wm. P. L. Garland*, Glangeirw, Llangwin, Denbighshire, farmer: in the Gaol of Ruthin.—*Margaret Garland*, Glangeirw, Llangwin, Denbighshire, farmer: in the Gaol of Ruthin.—*Aaron Wills Gay*, Cheltenham, Gloucestershire, attorney at law: in the Gaol of Gloucester.—*Chas. Tingay Mole*, Downham-market, Norfolk, ironmonger: in the Gaol of Norwich.—*I. Hothen*, Horton-heath, Bishopstoke, Hampshire, tanner: in the Gaol of Winchester.—*John Talbot*, Ipswich, Suffolk, dyer: in the Gaol of Ipswich.—*Isaac Canning*, Leeds, Yorkshire, commission agent: in the Gaol of York.—*G. T. Duberley*, Dursley, Gloucestershire, attorney at law: in the Gaol of Gloucester.—*Lawrence Keenan*, Sheffield, Yorkshire, brewer's traveller: in the Gaol of Sheffield.—*James R. Wood*, Alton, Hampshire, assistant to a chemist: in the Gaol of Winchester.—*Richard Cooper*, Chorlton-upon-Medlock, Manchester, licensed victualler: in the Gaol of Lancaster.—*Eli Fielding*, Rochdale, Lancashire, grocer: in the Gaol of Lancaster.—*Wm. Gesse* the younger, Cambridge, dealer in fruit: in the Gaol of Cambridge.—*James Lucas*, Haddenham, Isle of Ely, Cambridgeshire, dealer in coals: in the Gaol of Cambridge.—*Thomas Laithwaite*, Upholland, near Wigan, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Joseph Tween*, Great Wymondley, Hertfordshire, land surveyor: in the Gaol of Hertford.—*Philip Allen*, Esq., Doneraile, Cork: in the Gaol of Carnarvon.—*James Gould* the younger, Weston Zoyland, Bridgwater, Somersetshire, butcher: in the Gaol of Wilton.—*Wm. Higginson*, Liverpool, assistant to a pawnbroker: in the Gaol of Lancaster.—*Chas. G. Kewney*, Rock-ferry, Cheshire, commission merchant: in the Gaol of Lancaster.—*William Notley* the younger, Bower Hinton, Martock, Somersetshire, miller: in the Gaol of Wilton.—*Edw. Williams*, Everton, Liverpool, plumber: in the Gaol of Lancaster.

(On Creditors' Petition).

Wm. H. Dilling, Chawleigh, Devonshire, blacksmith: in the Gaol of St. Thomas the Apostle.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, ***April* 25.**

Richard Mann, Sedgley, Staffordshire, huckster.—*Joseph Gardner*, Dudley, Worcestershire, clothier.

At the County Court of Hampshire, at WINCHESTER, ***April* 12.**

Wm. Westwood, Newchurch, Isle of Wight, farmer.—*Isaac Othen*, Horton-heath, near Botley, out of business.—*James R. Wood*, Alton, assistant to a chemist.

At the County Court of Derbyshire, at DERBY, ***April* 21 *at* 11.**

Joseph Smith, Chesterfield, hatter.—*Henry Tomlinson*, Mayfield, Staffordshire, schoolmaster.

At the County Court of Brecknockshire, at BRECKNOCK, ***April* 27 *at* 10.**

Wm. Asbury, Buckland, Llansaintfread, coachman.

FRIDAY, MARCH 30.

BANKRUPTS.

WILLIAM BOLTON GIRDLESTONE, Southampton, boarding and lodging-house keeper, dealer and chapman, April 14 and May 17 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Trebern & White, 13, Barge-yard-chambers, Bucklersbury, London.—Fiat dated March 29.

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JOHN CHARRETIE, Trinity-square, Southwark, Surrey, steel and iron manufacturer, dealer and chapman, (lately trading with sundry other persons as steel and iron manufacturers, under the style or firm of the Nister Dale Iron Company, at 10, Old Jewry-chambers, London, and at Swinton, near Rotheram, Yorkshire, and also formerly trading with sundry other persons as coal merchants and brick and tile manufacturers, under the style or firm of the owners of the Trimdon Colliery, at Trimdon, near Hartlepool, Durham), April 11 at 1, and May 11 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrance & Plews, Old Jewry-chambers, London.—Fiat dated March 28.

HENRY JAMES TYRER, Newcastle-place, Clerkenwell-close, Middlesex, watchmaker, dealer and chapman, April 9 at half-past 11, and May 14 at 1, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Moss, 4, Queen-street, Cheapside.—Fiat dated March 28.

JAMES WILLIAMS, Saint George's-place, Back-road, St. George's East, Middlesex, tailor and outfitter, April 9 at 1, and May 21 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Wilde, Union-court, Old Broad-street. —Fiat dated March 26.

CHARLES CUSHING, Norwich, carver and cabinet maker, April 9 at 2, and May 21 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Tillett & Co., Norwich; Storey, Featherstone-buildings. — Fiat dated March 20.

WILLIAM WELTON, Sunderland Wharf, Rotherhithe, Surrey, timber merchant, and dealer in fire bricks, tiles, slates, stones, coals, &c., dealer and chapman, April 10 at 2, and May 15 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Nixon, 1, Warwick-court, Holborn.—Fiat dated March 27.

WILLIAM LLOYD, Madeley and Wryne Hill, Staffordshire, linen draper, dealer and chapman, April 11 and May 2 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham; Jones, Size-lane, London.—Fiat dated March 5.

WILLIAM COTTON, Moseley, King's Norton, Worcestershire, timber merchant, dealer and chapman, April 17 and May 8 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Harrison, Birmingham.—Fiat dated March 23.

ABEL WILLIAMS, Iron Acton, Gloucestershire, licensed victualler, hay dealer, dealer and chapman, April 12 and May 10 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Sabine, Bristol; Trehern & White, Barge-yard-chambers, London.—Fiat dated March 22.

EDWIN BURT, Bristol, boot and shoe manufacturer, dealer and chapman, April 12 at half-past 11, and May 10 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton, Sols. Ayre, jun., Bristol; Boykett, Chancery-lane, London. —Fiat dated March 28.

WILLIAM CHAFFER, Barton-upon-Humber, Lincolnshire, ironmonger, dealer and chapman, April 18 and May 2 at 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Fretson, Sheffield; Fiddey, Temple, London.—Fiat dated March 22.

RICHARD SMITHIES, Turner Fold, Aighton Bailey, and Chaigley, Lancashire, timber dealer, farmer, dealer and chapman, April 11 and May 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser: Sols. Trappes, Clitheroe; Atkinson & Co., Manchester; Smith, Lincoln's-inn-fields, London.—Fiat dated March 24.

CUTHBERT RIPPON, Rogerly Hall, Stanhope, Durham, limeburner, April 13 at half-past 11, and May 22 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hall & Ridley, Newcastle-upon-Tyne; Rymer, 59, Chancery-lane, London.—Fiat dated March 16.

Meetings.

Rich. Dutton, Sambrook-court, Basinghall-street, London, wool broker, April 19 at 2, Court of Bankruptcy, London, pr. d.—*Thomas John Croggon*, Ingram-court, Fenchurch-st., London, factor, April 21 at 11, Court of Bankruptcy, London, aud. ac.—*J. I. Winstanley*, King William-street, London, hosier, April 21 at 11, Court of Bankruptcy, London, aud. ac. —*J. F. Everett*, High Holborn, Middlesex, hydraulic engineer, April 20 at 11, Court of Bankruptcy, London, aud. ac. —*Horatio Vertue*, Ipswich, Suffolk, seed factor, April 23 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. Swinburn*, Ledbury-terrace, Westbourne-grove West, Notting-hill, Middlesex, builder, April 21 at 1, Court of Bankruptcy, London, aud. ac.—*Edw. Rowell*, Manchester, worsted manufacturer, April 25 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thos. Pratt*, Newton Abbott, Devonshire, druggist, April 25 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*D. A. Morell*, Langham-place, St. Marylebone, Middlesex, dentist, April 20 at 1, Court of Bankruptcy, London, div.—*Joseph Turner*, Newmarket, Suffolk, saddler, April 20 at half-past 1, Court of Bankruptcy, London, div.—*John W. Fielder*, Thavies Inn, Holborn-hill, London, lace merchant, April 20 at half-past 1, Court of Bankruptcy, London, div.—*Thomas Orpwood*, Bear-street, Leicester-square, Middlesex, coach currier, April 23 at 2, Court of Bankruptcy, London, div.—*H. F. Turner*, Myddleton-street, Clerkenwell, Middlesex, painted baize manufacturer, April 23 at 1, Court of Bankruptcy, London, div.—*John Carruthers*, Shepperton, Middlesex, distiller, April 23 at 12, Court of Bankruptcy, London, div.—*Robt. B. Webb*, Bury St. Edmund's, Suffolk, draper, April 24 at 12, Court of Bankruptcy, London, div.—*T. W. Martin*, Oxford, tailor, April 24 at 1, Court of Bankruptcy, London, div.—*James Esdaile*, Manchester, hatter, April 23 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Wm. Clayton*, Langcliffe, Yorkshire, *Wm. Clayton*, Lostock, in Walton-le-Dale, and *William Wilson*, Preston, Lancashire, bankers, April 20 at 12, District Court of Bankruptcy, Manchester, fin. div. sep. est. of *W. Clayton*, of Langcliffe.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Woolhouse, Windsor, Berkshire, timber dealer, April 21 at 2, Court of Bankruptcy, London.—*J. Swinburn*, Ledbury-terrace, Westbourne-grove West, Notting-hill, Middlesex, builder, April 21 at 1, Court of Bankruptcy, London. —*Daniel Boit*, Bristol, share broker, April 20 at 11, District Court of Bankruptcy, Bristol.—*Alexander Mitchell*, Cardiff, Glamorganshire, draper, April 26 at 11, District Court of Bankruptcy, Bristol.—*Levi Davis*, Redditch, Worcestershire, needle manufacturer, April 21 at 12, District Court of Bankruptcy, Birmingham.—*Jas. Jarvis*, Birmingham, plane maker, April 21 at 12, District Court of Bankruptcy, Birmingham.—*Thomas Dixon*, Dawley, Shropshire, grocer, April 21 at 12, District Court of Bankruptcy, Birmingham.—*Fred. Saldorf*, Plymouth, Devonshire, merchant, April 24 at 11, District Court of Bankruptcy, Exeter. —*Richard Matthews*, East Reach, Taunton St. James, Somersetshire, baker, April 26 at 1, District Court of Bankruptcy, Exeter.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 20.

John Faulkner, Manchester, coach lace manufacturer.—*J. Jas. Curtis*, Erith, Kent, hotel keeper.—*Fred. Batcheldor*, Queenborough, Isle of Sheppey, Kent, hay dealer.—*Richard Dawson*, Thorney, Isle of Ely, Cambridgeshire, grocer.—*Jos. Jackson* the younger, Shelfield, Walsall, Staffordshire, miller. —*H. R. Benbow*, Malvern Wells, Worcestershire, veterinary surgeon.—*Wm. A. Massey*, Liverpool, wood turner.—*Isaac R. Beckford*, Plymouth, Devonshire, retailer of beer.—*Wm. Okill*, Liverpool, insurance broker.—*Alex. Duranty*, Liverpool, merchant.—*W. Shaw* the younger, Salford, Lancashire, printer.—*Jacob Hansford*, Ventnor, Isle of Wight, Southampton, upholsterer.—*Jas. Newman*, Ventnor, Isle of Wight, Southampton, builder.

Fiat annulled.

Henry C. Robinson, Brecknock-street, Camden-town, and Caledonia-place, King's-cross, Middlesex, surgeon.

Partnership Dissolved.

Robt. Gatty and *Thos. A. Garth*, solicitors, (under the firm of Gatty & Garth).

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A. Morton, Glasgow, merchant.—*Alex. Dunbar*, Mains of Skellater, Tarland and Migvie, Aberdeenshire, merchant.—*J. W. Mason*, Edinburgh, tailor.—*Geo. Esplin*, Glasgow, accountant.—*Brown, Murray, & Co.*, Glasgow, calico printers. —*M. Paton*, Greenock, wright.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Burgoyne, Alvington, Gloucestershire, builder, April 16 at 11, County Court of Monmouthshire, at Chepstow.—*J. Miller*, Barnetby-le-Wold, Lincolnshire, blacksmith, April 14 at 11, County Court of Lincolnshire, at Brigg.—*James Dodd*, Ipswich, Suffolk, smith, April 19 at 10, County Court of Suffolk, at Ipswich.—*Denis Bendall*, Debenham, Suffolk, wheelwright, April 19 at 10, County Court of Suffolk, at Ipswich.—*John C. Banks*, Lymington, Southampton, painter, April 27 at 12, County Court of Hampshire, at Lymington.—*Frederick Smooker*, Wherwell-wood, Longparish, Hampshire, brickmaker, May 28 at 11, County Court of Hampshire, at Andover.—*Joseph Hackelton*, Rugby, Warwickshire, billiard table keeper, April 16 at 9, County Court of Warwickshire, at Rugby.—*John A. Thomas*, Leeds, Yorkshire, teacher of dancing, April 11 at 10, County Court of Yorkshire, at Leeds.—*Joseph Few*, Over, Cambridge, out of business, April 18 at 10, County Court of Huntingdonshire, at Huntingdon.—*P. Doran*, Sheffield, Yorkshire, licensed hawker, April 11 at 10, County Court of Yorkshire, at Sheffield.—*Benj. Hammond*, Sheffield, Yorkshire, butcher, April 11 at 10, County Court of Yorkshire, at Sheffield.—*Edward C. Dean*, Huntingdon, draper's assistant, April 18 at 10, County Court of Huntingdonshire, at Huntingdon.—*Jas. Hanby*, Sheffield, Yorkshire, publican, April 11 at 10, County Court of Yorkshire, at Sheffield.—*Charles George*, Lechlade, Gloucestershire, ironmonger, March 29 at 10, County Court of Berkshire, at Farringdon.—*John S. Lister*, Norton, Derbyshire, draper, April 11 at 10, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 14 *at* 11, *before the* CHIEF COMMISSIONER.

Jos. W. Greetham, Glebe-place, King's-road, St. Luke's, Chelsea, Middlesex, chemist.—*Henry Crang*, Commercial-road, Lambeth, Surrey, clerk to a coal merchant.—*Ernest J. Craigie*, Hyde Park-place West, Connaught-terrace, Edgware-road, Middlesex, gentleman.—*Henry Town*, York-st., Westminster, Middlesex, out of business.—*Jos. D. Gates*, Tooting, Surrey, ironmonger.—*George Boswall*, Brick-lane, Spitalfields, Middlesex, butcher.—*Jas. Parsons*, Suffolk-pl., Stonebridge-common, Kingsland-road, Middlesex, scaleman to a meat salesman.

April 14 *at* 10, *before Mr. Commissioner* LAW.

John Philip Wentworth, Cornwall-terrace, Dover-road, Newington, Surrey, cigar dealer.—*James Butterworth*, Belvidere-road, Lambeth, Surrey, clerk.—*John Field*, John-street, Tottenham-court-road, Middlesex, coach smith.—*Wm. Galbraith*, Philadelphia-terrace, Westminster-road, Lambeth, wholesale perfumer.

April 16 *at* 11, *before Mr. Commissioner* PHILLIPS.

Joseph Reeve, Quickset-row, New-road, St. Pancras, Middlesex, smith.—*John Vane*, High-street, Poplar, Middlesex, carpenter.—*James Griffin*, Barnes, Surrey, licensed retailer of beer.—*John Collings* the elder, Powell-street East, King-sq., St. Luke's, Middlesex, tailor.—*S. J. Byng*, Porteius-road, Harrow-road, Middlesex, schoolmaster.—*Wm. Hart*, Irongate-wharf, Paddington, Middlesex, wheelwright.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 13 *at* 11, *before the* CHIEF COMMISSIONER.

Eliz. Mary Mendham, New-inn-yard, Middlesex, out of business.—*George Joseph Lawrence*, Penton-st., Pentonville, Middlesex, baker.—*Wm. Allen*, Union-street, Spitalfields, Middlesex, bricklayer.

April 13 *at* 11, *before Mr. Commissioner* HARRIS.

Alfred Allistone, Hounslow, licensed victualler.—*John Harvey*, Stratford, Essex, potatoe salesman.—*John Webber*, Salisbury-st., Portman-market, Middlesex, baker.—*Thomas Pike*, Market-st., Hart-st., Bloomsbury, Middlesex, tailor's foreman.—*Eli Read*, Hatcham-park, New-cross, Old Kent-road, Surrey, out of business.—*Thomas Morris* the elder, Poland-st., Oxford-st., Middlesex, out of business.

April 13 *at* 10, *before Mr. Commissioner* LAW.

Edmund Simkins, Essex-st., Islington, butcher.—*William Stokeley*, James-st., Featherstone-st., St. Luke's, Middlesex, coachsmith.

April 13 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Starr, Hart-st., Grosvenor-square, Middlesex, warehouseman to a cheesemonger.—*David Hennessy*, Orchard-st., Westminster, Middlesex, licensed victualler.—*Thomas Wentworth*, Stafford-place, Wyndham-road, Camberwell, Surrey, cattle dealer.—*Fred. Cooke*, Exeter, Devonshire, auctioneer.—*Wm. Piper*, Dean-st., Soho, Middlesex, picture frame maker.—*John Costar*, Upper Berkeley-st., Portman-square, Middlesex, boarding-house keeper.—*Wm. Jackson* the elder, Golden-lane, Barbican, London, out of business.

April 14 *at* 11, *before Mr. Commissioner* PHILLIPS.

Henry Edward Dawson, Broad-st., Bloomsbury, Middlesex, shoemaker.

April 16 *at* 11, *before the* CHIEF COMMISSIONER.

Rebecca Downing, widow, Wellington-st., Borough, Southwark, out of business.—*Wm. Woodward*, South-st., West-square, Lambeth, Surrey, sack collector.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Samuel Beattie, Manchester, assistant in the Sun spirit vaults, No. 70,692; Henry Bowman, assignee.—*John Shaw*, Halliwell, near Bolton-le-Moors, Lancashire, plumber, No. 70,771; Hugh Makinson, assignee.—*John Llewellyn Clarke*, Liverpool, out of business, No. 70,754; George Harding, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *April* 13 *at* 11.

Thomas Laithwaite, Upholland, near Wigan, out of business.—*Wm. Bracewell*, Lancshaw-bridge, near Colne, butter factor.—*Henry Whittle*, Brownedge, Walton-le-Dale, near Preston, licensed victualler.—*Francis Ashworth*, Blackburn, assistant to a linen draper.—*Richard Cooper*, Charlton-upon-Medlock, Manchester, out of business.—*Thomas Greenhalgh*, Rochdale, carter.—*Thos. Riding*, Liverpool, house agent.—*John Pickels*, Barrowford, near Colne, manager in a cotton-mill.—*J. Holgate*, Habergham, Eaves, near Burnley, overlooker in a cotton-mill.—*Eli Fielding*, Rochdale, grocer.—*Jose Rathbone Smith*, Manchester, out of business.—*Robert Dickens*, Manchester, cotton waste dealer.—*Ed. Nehemiah Gerrard*, Cheetham, Manchester, out of business.—*John Turnbull*, Manchester, painter.—*T. Ogden Brown*, Hulme, Manchester, cigar box manufacturer.—*Herbert Haselden*, Manchester, tailor.—*Wm. Wild*, Manchester, out of business.—*Wm. Armitage*, Salford, out of business.—*Jas. Aykroyd*, Manchester, furniture broker.—*Chas. Ginnever Kewney*, Liverpool, commission-merchant.—*Wm. Saul*, Preston, joiner.—*Jos. Swallow*, Salford, painter.—*Wm. Higginson*, Liverpool, assistant to a pawnbroker.—*Matthew Birkett*, Lamberhead-green, near Wigan, licensed victualler.—*Wm. Leicester*, Kersall-moor, near Manchester, in no business.

At the County Court of Suffolk, at IPSWICH, *April* 19 *at* 10.

John Talbot, Ipswich, dyer.

At the County Court of Carnarvonshire, at CARNARVON, *April* 16 *at* 11.

Philip Allen, Esq., Bangor

At the County Court of Norfolk, at the Shire Hall, at NORWICH, *April* 18.

Charles Tingay Mole, Fordham, out of business.

At the County Court of Huntingdonshire, at HUNTINGDON, *April* 18 *at* 10.

Wm. Hall, Godmanchester, grocer.

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At the County Court of Wiltshire, at SALISBURY, *April* 16.

Jane Pearce, Bugley, Warminster, market gardener.—*Eliz. Flay*, Calne, innkeeper.

ERRATUM.—In the Gazette of Friday last, in the case of Thomas Andrew Fitzgerald Reynolds, an insolvent debtor, to be heard before Mr. Commissioner Law, *for* the 10th of April, *read* the 7th of April, as the day of hearing.

MASTER IN CHANCERY.—The Lord Chancellor has appointed William Stephen Hays, Gent., of Cheltenham, to be a Master Extraordinary in the High Court of Chancery.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—William Mundy, Esq., for the county of Derby, (Southern Division), in the room of Edward Miller Mundy, Esq., deceased.

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LONDON, APRIL 7, 1849.

The Pawnbrokers Act, 39 & 40 Geo. 3, c. 99, was passed, it need scarcely be mentioned, at a period when no interest beyond 5*l.* per cent. could be taken lawfully on any security whatever, real or personal. It enabled pawnbrokers to take from persons pledging goods or chattels, certain profits upon the sums which had been *lent, before the* pawnbroker should be obliged to re-deliver *the pledge*; and the limit of interest, and of the sum upon which such interest might be taken on the largest separate transaction, was fixed in the following words: "And for every pledge upon which there shall have been lent any sum exceeding 40*s.* and not exceeding 10*l.*, at and after the rate of 3*d.*, and no more, for the loan of every 20*s.* for all such money so lent, by the calendar month, including the current month, and so in proportion for any fractional sum, which said several sums shall be taken in lieu of, and as a full satisfaction for, *all* interest due and charges for warehouse room."

The rate of interest fixed by this act is, it will be perceived, 15*l.* per cent. per annum. It is perfectly clear, that, at common law, a pawnbroker, who is merely one who makes it his trade to lend money upon pledges, might lend money to any amount on pledge of chattels, and with any agreement as to time for the repayment of the money, provided the agreement was to take only lawful interest. With this right the 39 & 40 Geo. 3 does not interfere. It does not prohibit a pawnbroker from lending any amount of money upon what was then lawful interest, viz. 5*l.* per cent. It does require him to pursue certain forms as to entering his transactions into books, and delivering to the persons pawning, a certain kind of memorandum, which is known to the public by the term "duplicate." Perhaps it might be questioned, whether a pawnbroker might at all transact loans upon pledges of chattels, without complying with the formalities prescribed by the act with respect to the making of the entries and delivering the notes described in the 6th section. But, however that may be, there is certainly no clause in the act which limits the extent of the transactions a pawnbroker may enter into, if lawful interest only is reserved. What the passage cited from the 2nd section does, is not to restrict, but to enable. It enables the pawnbroker, not to lend on pledge, which he might do without, but to lend in sums not exceeding 10*l.*, reserving 15*l.* per cent. per annum, which he could not have done without, the statute.

By the 2 & 3 Vict. c. 37, the law is altered with regard to what is lawful interest; and, by that act, no contract for the loan of money *above* 10*l.* is void on the ground of usury, whatever may be the interest reserved, provided the security be not any estate in lands, tenements, or hereditaments: in other words, it is now lawful to lend money above 10*l.* upon *any personal security*, at *any* rate of interest parties may think fit to agree upon. The 3rd section of this act guards it against repealing or affecting any statute relating to pawnbrokers, and preserves all laws touching and concerning pawnbrokers in full force and effect.

Now, upon these two statutes, it has lately been held, (*Fitch* v. *Rochfort*, V. C. E., 4th April, 1849), that a transaction between a borrower and a pawnbroker, where the sum lent exceeded 10*l.*, (it was, in fact, many hundreds), and the interest reserved was 15*l.* per cent., was illegal, on the ground that the form and nature of the instruments, constituting the agreement between the parties, shewed the transaction to be a *pawnbroker's transaction*. We have not had the

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advantage of seeing the papers, but we believe the circumstances from which this inference was drawn were, that though the agreement contained terms beyond those that would flow from the mere transaction under the Pawnbrokers Act, as to the time of repayment and power of sale, (the excess being, however, for the advantage of the borrower), yet the transaction was entered in the pawnbroker's regular books, and a memorandum, or some document in the nature of a duplicate, consistent with the terms of the Pawnbrokers Act, was delivered.

It may be a question, if the question were material, whether the adoption of any particular *form* of contract or course of procedure, could be used to put a construction upon an act which might be lawful, for the purpose of shewing it was intended to bear a certain character which would make it unlawful. No doubt persons may attempt to use an instrument, for a purpose appearing to be lawful upon the face of the instrument, for an unlawful purpose, the secret agreement being, that it is to be used for the unlawful purpose; as in the case of conveyances to give colourable qualifications. But if a person may, as *pawnbroker*, do certain things, and no others, but may, out of his character of pawnbroker, lawfully do those other things, is it consistent with the principles of the law to collect, from anything short of actual declaration of intention, that he intended to do the act in the very character in which it would be unlawful? Can such an inference, at any rate, be drawn from the mere circumstance of the adoption of a *form* of contract used by the pawnbroker in his admittedly lawful transactions?

But the more material question is, whether, admitting the transaction to be a *pawnbroking transaction*—that is, a transaction by a pawnbroker in the way of his trade—the decision in *Fitch* v. *Rochfort* can be supported. If, as we conceive is clear, the 39 & 40 Geo. 3 merely enables a pawnbroker to take 15*l.* per cent. upon transactions not exceeding 10*l.*, and requires him to pursue certain forms in all his pawnbroking transactions, and leaves altogether untouched his common-law right to effect loans to any amount at ordinary interest, it is plain that the question upon the legality of his transactions was not, under that statute at least, whether they were pawnbroking transactions or not, but whether he agreed for lawful interest or not. If he agreed for more than 15*l.* per cent. on a loan of 10*l.*, or for more than 5*l.* per cent. upon any larger loan, his transaction would be unlawful, whether it was called, or whether it was or not, a pawnbroking transaction; and if he confined himself to the interest which was rendered lawful by the statute for loans of 10*l.*, and to the interest on larger loans, which, being lawful before, was not rendered unlawful by the statute, it could be of no consequence whether the transaction was in his shop or out of it—in the course of his trade or otherwise—it would in either case be lawful. If that is so, how does the 2 & 3 Vict. affect the question? By the 1st section of that statute, any person, pawnbroker or not pawnbroker, may agree for any amount of interest on any loan exceeding 10*l.*, secured upon any kind of personal security—of course, among others, upon any deposit of any chattel. The 3rd section prevents the repealing of the Pawnbrokers Act. What it does, therefore, is this: it leaves it lawful for pawnbrokers to take 15*l.* per cent., and no more, as prescribed by the 39 & 40 Geo. 3, upon loans of 10*l.*, and it leaves subsisting the silence of the Pawnbrokers Act as to the interest which may be taken by a pawnbroker upon loans above 10*l.* It leaves him, therefore, at liberty to do what, at common law or by the statute law, is left lawful by the 39 & 40 Geo. 3; that is, to take any amount of interest on any loan exceeding 10*l.* We submit, with great deference to the high authority of the learned judge who decided *Fitch* v. *Rochfort*, that this is the true construction of the 39 & 40 Geo. 3 and 2 & 3 Vict.; and that it is quite immaterial what be the form of the contract between the pawner and pawnbroker, except in so far as it may be material, for the purpose of avoiding penalties, that the pawnbroker should comply with the formalities prescribed by the 6th and subsequent sections of the Pawnbrokers Act.

CASES UPON THE 11 & 12 VICT. c. 45.

Since the passing of the Joint-stock Companies Winding-up Act (11 & 12 Vict. c. 45) several important cases have been decided under it, and it may be convenient to our readers to have them brought together and considered.

The first question is, what companies are within the act; and this has been discussed in several cases before his Honor the Vice-Chancellor Knight Bruce. In *The Herne-bay Pier Company's case*, (12 Jur. pt. 1, p. 1064), the company was formed for the purpose of making a pier or jetty for landing goods and passengers. It had power to make landing-places, quays, &c.; to erect toll-gates, &c.; and to take tolls. It did not appear that it had or contemplated any other business than that of affording landing accommodation for goods and passengers from vessels, and taking tolls therefor. The Court thought it not clear that the company was within the meaning of the act; and that the jurisdiction ought not to be exercised except in reference to companies clearly and beyond all doubt within the meaning of the act. The next case is that of *The Agricultural Cattle Insurance Company*, (13 Jur., part 1, 75). In that case the company was formed for the purpose of insuring against the losses arising by mortality among all kinds and descriptions of animals. The Court held, as in the case first referred to, that the act was not to be applied except in cases which are clearly within its scope, and free from difficulty; and the petition was dismissed.

These cases seem to call for no observation. Unquestionably, taking tolls for the landing of passengers or the like, or taking premiums for insuring against any contingency, has never been considered a strictly commercial or trading occupation, although it may be a profitable business; and it would require a considerable stretch of imagination to fix upon companies of either of the kinds referred to in the above-mentioned cases, the character of companies formed for commercial or trading purposes.

The next case that was decided is *The London and Manchester Direct Independent Railway Company's case*, (13 Jur. part 1, 182). In that, the company was an uncompleted railway company—that is, a company formed for constructing and working a railway, but not carried beyond the formation of the company and the allotment of shares, &c.; in fact, not carried to the point of obtaining, or even applying for, the sanction o the Legislature. The Court declined to apply the at f of Parliament to such an association, intimating again that the Court was only to put the law in force in a case to which the Legislature had plainly and distinctly said that it should apply. On this case, we believe, an appeal is pending; and as we commented upon the doctrine involved in it, in a preceding page of this journal, (ante, p. 61), before we knew that the case was under appeal, we shall not now observe upon it, further than to say this—that as the object of the Legislature was, undoubtedly, to enable the parties to associations, whose business was not worth being carried on, to wind them up without a suit; and as, at the time when the act was passed, by far the greater part of such associations consisted of railway companies wholly or partially formed, it will be a singular miscarriage of the Legislature, if precisely that class of associations shall be found to be excluded from the

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operation of the Joint-stock Companies Winding-up Act.

In *Ex parte Wyld* (13 Jur. part 1, p. 133) the question decided was, that a mining company, formed on the "cost-book" principle *before the passing* of the act, is not within its operation. The construction of the statute is, that the second clause is confined in its operation by the first, and merely adds to the description of the companies which are to be affected by the description and operation of the first clause.

The next question is, who is a *contributory*, and what is the intention of the act with regard to the liabilities of the members of an association which is within it? And it has been decided, on the latter point, that the act does not touch the question of liability to third parties, but only the liabilities of the members inter se. (*Ex parte Fenwick, re The North of England Joint-stock Banking Company*, 13 Jur. part 1, 204).

As to what makes a party a contributory, the following cases have been decided:—A father bought shares for and in the name of his son, who was a minor. The vendor declared, pursuant to the rules of the company, that the purchaser was of age, and the purchaser entered into a deed containing the usual covenants with respect to the shares; afterwards, the father, by deed with the company, reciting the purchase of the shares for his son, covenanted that he should, on coming of age, execute the deed of settlement, and in the meantime fulfil all his liabilities. The father received all the dividends. It was held, that the father was a contributory, although the son was the person registered in the books of the company. (*Ex parte Reaveley, re The North of England Joint-stock Bank*, 12 Jur. part 1, 1065). The ground of the decision was, that the father had contracted with the company; and when that circumstance did not exist, but there was merely a purchase of shares for sons with the father's money, and the shares were taken in the name of a trustee, whose name alone was registered as a shareholder, the Court held the father not a contributory, although there was an agreement between the father and the trustee that the dividends and profits should be paid to the father during the minority of the sons. By the same instrument, it was agreed, that, on their attaining their ages, the shares were to be transferred to the sons; and the father indemnified the trustee against liability in respect of the said shares.

As to the circumstances that give rise to the application of the act generally, this point has been considered in two cases—*Ex parte Wyld*, above cited, and *Ex parte Troutbeck*, (13 Jur. part 1, p. 157). In the former case it was held, that the act is not intended to apply to the case of a solvent company, or a company that can carry on its affairs, merely to settle a quarrel between an individual shareholder and the company, although the company may, in point of form, have acted so as to be within the 5th article of the 5th section of the statute. The act is intended to enable companies that are insolvent, or that for other reasons cannot go on, to be wound up, and the conditions of the 5th section are intended as tests of that insolvency or incapacity; and, therefore, in the case secondly referred to, *Ex parte Troutbeck*, the act was held to apply, although there were no outstanding debts, and there was a decree for an account and contribution in a suit in equity, on the ground that the company could not go on; and that the very thing the act intended, was to afford a company in such a position, the means of avoiding the insurmountable difficulties attending the winding-up by a suit in Chancery.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—William Hinde, of Cleobury Mortimer, Shropshire; Horace Frost, of Kingston-upon-Hull.

London Gazettes.

TUESDAY, APRIL 3.

BANKRUPTS.

ALEXANDER CHARLES HANDLEY, Maldon, Essex, draper, dealer and chapman, April 11 at 1, and May 15 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sole & Turner, Aldermanbury.—Fiat dated March 27.

HENRY MACKENZIE, Farnham, Surrey, draper and dealer in tea, coffee, tobacco and snuff, dealer and chapman, April 14 at 1, and May 19 at 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Collins, 37, King William-street, City.—Fiat dated April 3.

FREDERICK JOHN ABLETT, Merthyr Tydvil, Glamorganshire, draper, dealer and chapman, April 11 and May 9 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Turner, Aldermanbury, London.—Fiat dated March 23.

JOSEPH HULLS, High Wycombe, Buckinghamshire, coppersmith and founder, dealer and chapman, April 12 at half-past 1, and May 10 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Gem & Co., Lincoln's-inn-fields.—Fiat dated March 24.

HENRY GORING, Hanwell, Middlesex, butcher, grocer, and cheesemonger, April 11 at 11, and May 10 at half-past 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Allen & Nicol, Queen-street, Cheapside. — Fiat dated March 31.

JOHN DYSON ANDERSON, Pavement, Moorfields, London, linen draper, dealer and chapman, April 17 at 2, and May 17 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Jones, 15, Sise-lane, Bucklersbury. — Fiat dated March 20.

GEORGE NEWBOLD, Longton, Stoke-upon-Trent, Staffordshire, mercer and draper, dealer and chapman, April 12 and May 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Young, Longton, Staffordshire; Smith, Birmingham.—Fiat dated March 20.

RICHARD BULLOCK, Kidderminster, Worcestershire, corn factor, dealer and chapman, April 21 and May 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Finch, Worcester; Motteram & Co., Birmingham; Letts, 8, Bartlett's-buildings, Holborn, London.—Fiat dated March 28.

LUCY PERRERS, widow, Holsworthy, Devonshire, innkeeper, April 12 and May 3 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Gurney & Cowlard, Launceston, Cornwall; Turner, Exeter; Bell & Co., 59, Lincoln's-inn-fields, London.—Fiat dated March 23.

WILLIAM FREEMAN FAWCETT, Sedbusk, Aysgarth, Yorkshire, grocer and cheesemonger, dealer and chapman, April 26 and May 18 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds.—Fiat dated March 14.

MATTHEW NORMAN the younger, Richmond, Yorkshire, cabinet maker, joiner and upholsterer, April 24 and May 15 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Benson, Birmingham; Courtenay, Leeds; Chilton & Co., Chancery-lane, London. — Fiat dated March 21.

AARON EGERTON, Over, Cheshire, builder, dealer and chapman, April 17 and May 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Cooke, Over, Cheshire; Tyrer, Liverpool; Milne & Co., Temple, London.—Fiat dated March 29.

JOHN STRUTT, Liverpool, silk mercer and clothier, dealer and chapman, April 17 and May 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Curry & Statham, Liverpool; Vincent, Temple, London.—Fiat dated March 30.

MEETINGS.

George Allison, Darlington, Durham, scrivener, April 23 at 10, District Court of Bankruptcy, Newcastle-upon-Tyne, pr. d.—*John Huxtable*, Frome Selwood, Somersetshire, silversmith, April 19 at 11, District Court of Bankruptcy, Bristol, last ex.—*John Arnold*, Oxford-st., Westminster, Middlesex, linen draper, April 28 at 11, Court of Bankruptcy, London, aud. ac.—*John Fitzgerald*, Portland-pl., Middlesex, and Pendleton, Lancashire, coal merchant, April 26 at 2, Court of Bankruptcy, London, aud. ac.—*Henry Hix Ulph*,

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West Ham, Essex, cattle salesman, April 26 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Wm. Blacknell*, Plumstead, Kent, baker, April 26 at 11, Court of Bankruptcy, London, aud. ac.—*John Philpotts*, Holborn-bars, London, shawl warehouseman, April 26 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Manson*, King William-st., London, underwriter, April 26 at 11, Court of Bankruptcy, London, aud. ac.—*William Lancaster*, Regent-street and Carlton-st., Middlesex, jeweller, April 26 at 11, Court of Bankruptcy, London, aud. ac. and div.—*William Clayton*, Langcliffe, Yorkshire, *Wm. Clayton*, Lostock, Walton-le-Dale, Lancashire, and *Wm. Wilson*, Preston, Lancashire, bankers, April 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Harry V. Stroud*, Spettisbury, Dorsetshire, miller, April 25 at 11, District Court of Bankruptcy, Exeter, aud. ac.; April 26 at 1, div.—*Christopher Robson*, Newcastle-upon-Tyne, grocer, April 25 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; April 26 at 11, div.—*Wm. Cameron*, Newcastle-upon-Tyne, confectioner, April 25 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; April 26 at half-past 10, div.—*James Dent*, Huddersfield, Yorkshire, cloth merchant, April 26 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Whitworth*, Leeds, Yorkshire, millwright, April 26 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Jacob Forth*, Nottingham, hatter, April 27 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*W. Wood*, Waddington, Lincolnshire, licensed victualler, April 27 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*Thomas Payne*, Falkingham, Lincolnshire, licensed victualler, April 27 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*John Jowett*, Loughborough, Leicestershire, boot manufacturer, April 27 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*Mark Kirk*, Nottingham, builder, April 27 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*George Edwards*, Drayton in Hales, Shropshire, innkeeper, May 1 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Matthew Holmes*, Bilston, Staffordshire, victualler, April 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Bourne*, Birmingham, coal dealer, April 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Irving*, Birmingham, draper, April 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*W. Stephens*, Leigh, Worcestershire, blacksmith, April 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*William Nash*, Oldbury, Shropshire, grocer, April 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Williams*, Birmingham, surgeon, April 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Leonard Thompson*, West Bromwich, Staffordshire, coach spring maker, April 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Hill*, Redditch, Worcestershire, builder, April 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Henry Knapp*, Abingdon, Berkshire, banker, April 25 at half-past 12, Court of Bankruptcy, London, div.—*Horatio Vertue*, Great Saint Helen's, London, and Ipswich, Suffolk, corn factor, April 26 at 11, Court of Bankruptcy, London, div.—*Daniel Ross* and *Edward Tatham*, Union-street, Southwark, Surrey, hat manufacturers, April 24 at 11, Court of Bankruptcy, London, div. sep. est. of *Edward Tatham*.—*Gidley Howden*, Pump-row, Old-street-road, Middlesex, patent stove manufacturer, April 24 at half-past 11, Court of Bankruptcy, London, div.—*Wm. C. Streatfield*, Cornhill, London, underwriter, April 25 at 1, Court of Bankruptcy, London, fin. div.—*Edmund Manning* and *Cornelius C. Manning*, High-st., Aldgate, London, April 27 at 1, Court of Bankruptcy, London, div. sep. est. of *C. Chas. Manning*.—*Thomas Bromley*, Leighton Buzzard, Bedfordshire, grocer, April 27 at 11, Court of Bankruptcy, London, div.—*Thos. Brunker*, Queen's-st., Finsbury, Middlesex, wadding manufacturer, April 26 at 1, Court of Bankruptcy, London, div.—*Henry Clark*, Redcross-street, London, and Plummer's-row, Whitechapel, Middlesex, oil merchant, April 26 at 1, Court of Bankruptcy, London, div.—*Martin Nunn*, Regent's-circus, Oxford-st., Middlesex, childbed linen warehouseman, April 25 at 12, Court of Bankruptcy, London, div.—*Edward Hen. Browne*, Peckham Rye, Surrey, and Beaufort-buildings, Strand, Middlesex, brickmaker, April 26 at half-past 11, Court of Bankruptcy, London, div.—*Samuel Mobbs*, Alfred-place, Alexander-square, Brompton, Middlesex, coal merchant, April 26 at 1, Court of Bankruptcy, London, div.—*Geo. Banks*, Lymington, Hampshire, builder, April 26 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Mannington*, Brighton, Sussex, tobacconist, April 26 at 12, Court of Bankruptcy, London, div.—*Luke Langley*, Brading, Isle of Wight, baker, April 26 at half-past 12, Court of Bankruptcy, London, div.—*William Sims*, Great Queen-street, Lincoln's-inn-fields, Middlesex, coach maker, April 26 at half-past 12, Court of Bankruptcy, London, div.—*Charles Bourjot* and *William Espivent de la Vellesboisnet*, Coleman-street-buildings, London, merchants, April 26 at 12, Court of Bankruptcy, London, div.—*James Walton*, Great Bridge, Staffordshire, iron founder, April 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*Wm. Garret*, Newcastle-upon-Tyne, bookseller, April 26 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Thomas Read*, Manchester, cigar dealer, April 26 at 11, District Court of Bankruptcy, Manchester, fin. fiv.—*George Lewis*, Wrexham, Denbighshire, apothecary, April 25 at 11, District Court of Bankruptcy, Liverpool, div.—*William Beamer*, West Derby, Lancashire, joiner, April 25 at 11, District Court of Bankruptcy, Liverpol, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William Towns, Kingston, Surrey, farmer, April 25 at 12, Court of Bankruptcy, London.—*Richard Webster* and *Richard Webster* the younger, Cornhill, London, chronometer makers, April 25 at 1, Court of Bankruptcy, London.—*M. Cowles*, Nine Elms, Vauxhall, and York-road, Lambeth, Surrey, livery stable keeper, April 26 at 1, Court of Bankruptcy, London.—*George Cheetham*, Frindsbury, Kent, ship builder, April 26 at half-past 12, Court of Bankruptcy, London.—*Hen. H. Ulph*, West Ham, Essex, cattle salesman, April 26 at half-past 1, Court of Bankruptcy, London.—*John Gurman*, Bitterne, South Stoneham, Southampton, builder, April 25 at 11, Court of Bankruptcy, London.—*Jos. Peachey*, Colchester, Essex, cabinet maker, April 25 at 11, Court of Bankruptcy, London.—*John Arnold*, Oxford-street, Westminster, Middlesex, linen draper, April 28 at 11, Court of Bankruptcy, London.—*Wm. Lancaster*, Regent-street, and Carlton-st., Middlesex, jeweller, April 26 at 11, Court of Bankruptcy, London.—*Thos. Plumley* the younger, Bristol, grocer, April 24 at 11, District Court of Bankruptcy, Bristol.—*John Robt. Long*, Bath, linen draper, April 24 at 11, District Court of Bankruptcy, Bristol.—*Jas. Pierce*, Chorley, Lancashire, corn dealer, April 24 at 12, District Court of Bankruptcy, Manchester.—*John Krauss*, Manchester, agent, April 26 at 12, District Court of Bankruptcy, Manchester.—*P. Whitehead*, Bradford, Yorkshire, corn miller, April 26 at 11, District Court of Bankruptcy, Leeds.—*John Frayne*, Northmolton, Devonshire, draper, April 26 at 1, District Court of Bankruptcy, Exeter.—*William Cradock*, Truro, Cornwall, auctioneer, April 25 at 11, District Court of Bankruptcy, Exeter.—*Wm. Thornley*, Ripley, Derbyshire, grocer, April 27 at 11, District Court of Bankruptcy, Nottingham.—*Thos. Larkins Walker* and *Edward Wm. Kelsall*, Nuneaton, Warwickshire, brickmakers, May 1 at 10, District Court of Bankruptcy, Birmingham.—*Robert Ashforth*, Birmingham, hardwareman, April 25 at 12, District Court of Bankruptcy, Birmingham.—*James Hellings*, Rugeley, Staffordshire, common brewer, April 25 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 24.

C. Samson, Chorlton-upon-Medlock, Lancashire, brewer.—*Abel Uglow*, St. Thomas the Apostle, Cornwall, miller.—*Robert Living*, Leadenhall-market, London, poultry salesman.—*Alexander M'Alley*, Romney-terrace, Horseferry-road, Westminster, Middlesex, builder.—*John Jarvie* and *James Rowley*, Nutsford Vale Print Works, Newton, Manchester, silk manufacturers.—*Wm. Foster*, Nottingham, hat manufacturer.—*Wm. Trap*, Warminster, Wiltshire, mason.—*Thomas Poole*, South-square, Gray's-inn, Middlesex, money scrivener.—*Robt. Wm. Hunter*, Praed-street, Paddington, Middlesex, baker.—*Thomas Stocks*, Tormoham, Devonshire, baker.—*H. V. Stroud*, Spettisbury, Dorsetshire, miller.—*Rich. Wilkin*, Liverpool, agent.—*Henry John Chambers*, Kirkdale, Liverpool, vinegar brewer.

Fiat annulled.

Ralph Addison, Laurence Pountney-lane, London, merchant.

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SCOTCH SEQUESTRATIONS.

Peter Robertson, Knock, Renfrewshire, farmer.—*J. Campbell*, Glasgow, distillers' agent.—*Wm. Grant*, Ruthven, Kirkmichael, Banffshire, farmer.—*Thomas Jaffrey* and *Andrew Jaffrey*, Waterton-mills, Stoneywood, Aberdeen, paper manufacturers.—*Thos. T. Hanna*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Mitchell, Keynsham, Somersetshire, licensed victualler, May 9 at 11, County Court of Gloucestershire, at Bristol.—*John Hort*, Bristol, licensed victualler, May 2 at 11, County Court of Gloucestershire, at Bristol.—*Robert Smy*, Cathay, Bedminster, Bristol, grocer, May 16 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Furze*, Bristol, surgeon, May 16 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Brook*, High Uckfield, Sussex, tailor, April 24 at 2, County Court of Sussex, at Lewes.—*E. Furry*, Awre, Gloucestershire, out of business, April 20 at 10, County Court of Gloucestershire, at Newnham.—*Wm. Fry*, Bradney, Bawdrip, Somersetshire, farmer, April 16 at 11, County Court of Somersetshire, at Bridgewater.—*Elizabeth Gibbon*, spinster, Haverfordwest, innkeeper, April 20 at 9, County Court of Pembrokeshire, at Haverfordwest.—*Thos. Taylor*, Oswestry, Shropshire, hatter, April 20 at 10, County Court of Shropshire, at Oswestry.—*James Tillie*, Quatre Bras, near Hexham, Northumberland, victualler, April 20 at half-past 2, County Court of Northumberland, at Hexham.—*William D. Garbutt*, Newcastle-upon-Tyne, joiner, April 19 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Cornelius Piercy*, Lewes, Sussex, builder, April 24 at 2, County Court of Sussex, at Lewes.—*Wm. Lasseter*, Arundel, Sussex, watchmaker, April 21 at 11, County Court of Sussex, at Arundel.—*Francis Anderson*, Blaydon, Winlaton, Durham, builder, April 23 at 10, County Court of Durham, at Gateshead.—*Jane Varley*, Ellesmere, Shropshire, stonemason, April 20 at 12, County Court of Shropshire, at Oswestry.—*James Somerville*, Newcastle-upon-Tyne, common brewer, April 19 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Thomas Bassett*, Chailey, Sussex, carpenter, April 24 at 2, County Court of Sussex, at Lewes.—*Henry C. Bunting*, Bradford, Wiltshire, agent for the Kennet and Avon Canal Company, April 9 at 12, County Court of Wiltshire, at Bradford.—*Richard Morse*, Liverpool, provision dealer, April 9 at 10, Liverpool District County Court, at Liverpool.—*Thomas Minster*, Liverpool, clerk at the London and North-western Railway Station, Liverpool, April 9 at 10, Liverpool District County Court, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 17 *at* 11, *before Mr. Commissioner* HARRIS.

Jas. R. Bruce, Chandos-street, Strand, Middlesex, clerk to the Ecclesiastical Commissioners.—*Thomas Wise*, Portland-street, Soho, Middlesex, out of employ.—*J. Elliott*, Rotherhithe-street, Surrey, barman to a licensed victualler.—*George Seaman*, Albany-road, Camberwell, Surrey, out of business.—*Wm. Powell*, Rose and Crown-court, Eldon-street, Finsbury, Middlesex, general shopkeeper.—*Charles New*, Great Windmill-street, Haymarket, Middlesex, china dealer.—*G. Abbott*, Jacob-street, Dockhead, Bermondsey, Surrey, lighterman.—*Sally Robinson*, widow, Roydon, Essex, out of business.—*F. S. Dumont*, Quaker-street, Spitalfields, Middlesex, dyer.

April 17 *at* 10, *before Mr. Commissioner* LAW.

James Cooper, King-street, Greenwich, Kent, coffee-house keeper.

April 18 *at* 11, *before the* CHIEF COMMISSIONER.

Eliza Gosling, London-road, St. John's-wood, Middlesex, schoolmistress.—*Mercy White*, Cross-street, Manor-street, Clapham, Surrey, cook.—*Wm. Poulton*, Chandos-st., Strand, Middlesex, coffee-house keeper.

April 19 *at* 10, *before Mr. Commissioner* LAW.

Wm. G. Churches, Albert-terrace, Victoria-road, Newington, Middlesex, clerk to a coal merchant.—*John Mileham*, Wardour-street, Soho, Middlesex, clerk in the Money Order-office of the General Post-office.

April 19 *at* 11, *before Mr. Commissioner* PHILLIPS.

Benj. W. Ekins, Easton-street, Exmouth-street, Clerkenwell, Middlesex, shoemaker.—*John C. Mitchell*, Brunswick-street, Barnsbury-road, Islington, Middlesex, ball manufacturer.—*M. G. Garner*, South Island-place, Clapham-road, Surrey, clerk to a commission agent.—*Richard Sandon Bell*, Charles-place, Charles-square, Hoxton, Middlesex, clerk in the Money Order-office of the General Post-office.—*William Aldread*, Harper-street, Newington, Surrey, corn dealer.

Saturday, March 31.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Rachel Richardson, Bishop Wearmouth, Durham, confectioner, No. 70,525 C.; Eliz. Park, assignee.—*John Richardson*, Sherfin-house, Lower Booths, Lancashire, farmer, No. 70,547 C.; Robert Unsworth, assignee.—*William Bardsley*, Daw Bank, Stockport, Cheshire, pork butcher, No. 70,684 C.; Joshua Collier, assignee.—*Colley Bedford* the elder, Kingston-upon-Hull, tailor, No. 70,195 C.; Thomas Merrick, assignee.—*George Evans*, Stapeley, near Nantwich, Cheshire, boot maker, No. 70,610 C.; T. W. Jones, assignee.—*C. H. Broughton*, Ryde, Isle of Wight, Hampshire, out of business, No. 60,121 T.; George Basham, assignee.—*Benj. Wood*, Leeds, Yorkshire, out of business, No. 70,630 C.; R. Wood, assignee.—*Jas. Rust*, Soham, Cambridgeshire, seed merchant, No. 70,154 C.; James Guyton the younger, assignee.

Saturday, March 31.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Smith, Paradise-st., Clapham-road, Surrey, general dealer: in the Debtors Prison for London and Middlesex.—*Agnes M'Crae Dalrymple*, widow, Prince's-st., Chelsea, Middlesex: in the Debtors Prison for London and Middlesex.—*Sarah Ann Mountford*, Wharf-road, Pritchard-road, Regent's-canal, Hackney, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Geo. Edward Noone* the elder, Norland-road, Notting-hill, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—*Chas. Templar*, Brick-lane, Spitalfields, assistant to a pork butcher: in the Debtors Prison for London and Middlesex.—*Louis Urban*, Barbican, London, maker and dealer in cap trimmings: in the Debtors Prison for London and Middlesex.—*Robert Hope Gadesden*, Marlborough-place East, Greenwich, Kent, occasional clerk in the Colonial-office: in the Debtors Prison for London and Middlesex.—*C. Powell*, Ashford-st., Hoxton, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Stephen Docura*, Norfolk-st., Shoemot-place, Rye-lane, Peckham, Surrey, beershop keeper: in the Gaol of Horsemonger-lane.—*John Lane*, Keppel-st., Russell-square, Middlesex, barrister at law: in the Queen's Prison.—*Titus Spicer*, Well-walk, St. John's, Hampstead, Middlesex, licensed victualler: in the Queen's Prison.—*Sam. Cozens*, Charlton, Andover, Hampshire, carpenter: in the Debtors Prison for London and Middlesex.—*Wm. Smith*, King-st., Cambridge-road, Mile-end, Middlesex, stationer: in the Debtors Prison for London and Middlesex.—*Wm. Armitage*, Salford, Manchester, provision dealer: in the Gaol of Lancaster.—*Jas. Butterworth*, Bamford, near Rochdale, Lancashire, farm labourer: in the Gaol of Lancaster.—*Joshua Boden*, Manchester, cotton-waste dealer: in th Gaol of Lancaster.—*Thos. O'Brown*, Hulme, near Manchester, tobacconist: in the Gaol of Lancaster.—*Robert Dickens*, Hulme, Manchester, cotton-waste dealer: in the Gaol of Lancaster.—*John Denerley*, Haughton-green, Denton, near Manchester, hatter: in the Gaol of Lancaster.—*Ed. Nehemiah Gerrard*, Cheetham, Manchester, chemist: in the Gaol of Lancaster.—*Thomas Greenhalgh*, Rochdale, Lancashire, butcher: in the Gaol of Lancaster.—*John Martin*, Whalley, near Clitheroe, Lancashire, grocer: in the Gaol of Lancaster.—*John Holgate*, Sandygate, Habergham Eaves, Burnley, Lancashire, overlooker in a cotton mill: in the Gaol of Lancaster.—*Wm. Maltwood*, Hulme, Manchester, shopman to a trunk maker: in the Gaol of Lancaster.—*John Pickels*, Barrowford, near Colne, Lancashire, manager in a cotton mill: in the Gaol of Lancaster.—*Thomas Riding*, Liverpool, house agent: in the Gaol of Lancaster.—*Ed. Roberts*, Droyladen, Lancashire, shoemaker: in the Gaol of Lancaster.—*George Robinson*, Lancaster, in no business: in the Gaol of Lancas-

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ter.—*Henry Saffron*, Woodbine-cottage, Huddersfield, Yorkshire, fancy manufacturer: in the Gaol of York.—*Jose Rathbone Smith*, Manchester, keeper of a boarding-school: in the Gaol of Lancaster.—*Henry Whittle*, Preston, Lancashire, brewer: in the Gaol of Lancaster.—*Edmund Alderson*, Richmond, Yorkshire, joiner: in the Gaol of York.—*Wm. Burley*, Nun Monkton, Yorkshire, vessel owner: in the Gaol of York.—*Patrick Cogley*, Liverpool, boarding-house keeper: in the Gaol of Lancaster.—*W. Roscoe Bardswell*, Liverpool, traveller to a brewer: in the Gaol of Lancaster.—*Francis Clough*, Doncaster, Yorkshire, draper: in the Gaol of York.—*David Haworth*, Charlestown, Pendleton, Salford, Lancashire, provision dealer: in the Gaol of Lancaster.—*Jos. Hibbert*, Manchester, clogger: in the Gaol of Lancaster.—*John Yeadon*, Yeadon, near Leeds, Yorkshire, labourer: in the Gaol of York.—*Matthew Birkett*, Lamberhead-green, near Wigan, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Sampson Goddes*, Old Woodstock, Oxfordshire, glove manufacturer: in the Gaol of Oxford.—*Wm. Smith*, Lower Town, Ashperton, Herefordshire, auctioneer: in the Gaol of Hereford.—*Henry James Sylvester*, Northleigh, Oxfordshire, publican: in the Gaol of Oxford.—*John Elliott*, Hulme, Manchester, packer: in the Gaol of Lancaster.—*C. Adamson*, Newcastle-upon-Tyne, farrier: in the Gaol of Newcastle-upon-Tyne.—*Charles Burrell*, Shambles, Leeds, Yorkshire, butcher: in the Gaol of York.—*Josiah Nutt Godden*, Beanmont-square, Mile-end-road, Middlesex, glove manufacturer: in the Gaol of Oxford.—*George Mouat*, Winterbourne Gunner, Wiltshire, in no trade or profession: in the Gaol of Fisherton Anger.—*Henry Nicholls*, Brighton, Sussex, shoemaker: in the Gaol of Lewes.—*John Wainwright*, Goole, Yorkshire, schoolmaster: in the Gaol of York.—*Thos. Vincent Cavell*, Deal, Kent, bookseller: in the Gaol of Dover.—*Geo. Gibson*, Bristol, retired army lieutenant-colonel: in the Gaol of Bristol.—*Abraham Isaacs*, Newcastle-upon-Tyne, out of business: in the Gaol of Newcastle-upon-Tyne.—*Peter Smith*, Whittlesey, Isle of Ely, Cambridgeshire, wheelwright: in the Gaol of Cambridge.—*Thos. Charlton*, Hartlepool, Durham, ship owner: in the Gaol of Durham.—*Thomas Lewis*, Victoria-place, Old Kent-road, Surrey, furniture dealer: in the Gaol of Horsemonger-lane.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 12 *at* 10, *before Mr. Commissioner* LAW.

Robert Hope Gladeden, Marlborough-place, East Greenwich, Kent, manager to the London and Westminster Coal Club.—*James Marshall*, Clifton-street, Finsbury, Middlesex, manager of a pewterer's business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Somersetshire, at TAUNTON, *April* 18.

James Pitman, Weston Zoyland, near Bridgewater, farmer.—*James Gould* the younger, Weston Zoyland, near Bridgewater, butcher.—*Wm. Notley* the younger, Martock, miller.—*Thos. Walter Bush*, Charmouth, near Lyme Regis, in no way of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *April* 19.

Chas. Adamson, Newcastle-upon-Tyne, farrier.

At the County Court of Gloucestershire, at BRISTOL, *April* 18 *at* 11.

Isaac Leedham, Clifton, clerk to stock and share brokers.—*Wm. F. Morris*, Lower Easton, assistant at a public-house.

MEETING.

Peter Smith Sampson, Ipswich, Suffolk, silk mercer, April 19 at 11, Court-house, Portugal-street, Lincoln's Inn-fields, London, sp. aff.

FRIDAY, APRIL 6.

BANKRUPTS.

THOMAS NIXON KERR, Biggleswade, and Holme Mills, Southhill, Bedfordshire, miller, merchant, dealer and chapman, April 19 at half-past 12, and May 17 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Nash & Tournall, Royston, Hertfordshire; Church, 9, Bedford-row, London.—Fiat dated March 29.

MICHAEL JAMES MOSES, Houndsditch, London, foreign goods importer, dealer and chapman, April 13 at half-past 1, and May 18 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wallington, 3, Crown-court, Threadneedle-st.—Fiat dated March 10.

HENRY FISH, Prince's-row, Pimlico, Middlesex, painter, plumber, and glazier, April 17 and May 18 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Robinson, 17, Orchard-st., Cavendish-sq.—Fiat dated March 24.

JOHN WARDEN ROBBERDS, Norwich, manufacturer, dealer and chapman, April 19 at 2, and May 24 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. White & Borrett, Lincoln's-inn-fields.—Fiat dated March 23.

ALEXANDER PRINCE, Lincoln's-inn-fields and Russell-square, Middlesex, zincographer and lithographer, patent agent, dealer and chapman, April 14 at half-past 1, and May 19 at half-past 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Goren, South Molton-street.—Fiat dated March 8.

JAMES SMITH, Smith's-buildings, Mansell-st., Whitechapel, Middlesex, spruce merchant, dealer and chapman, April 14 at 2, and May 19 at 12, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Paxon, Lincoln's-inn-fields.—Fiat dated April 4.

RICHARD SMITH, Hathern, Leicestershire, and Formark Park, Derbyshire, tanner and farmer, dealer and chapman, March 30 and May 4 at 11, (and not on the 27th April, as advertised in the Gazette of the 20th March last), District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Brewster, Nottingham.—Fiat dated March 6.

WILLIAM TRUELOVE, Oakland House, Ledbury, Herefordshire, schoolmaster, horse, pig, and sheep dealer, baker, and dealer and chapman, April 18 and May 15 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Gregg, Ledbury; Motteram & Co., Birmingham.—Fiat dated March 31.

FREDERICK COOK, Exeter, upholsterer and cabinet maker, April 17 at 11, and May 10 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Hooper, Exeter; Fox, Finsbury-circus, London.—Fiat dated March 22.

JOSEPH ASPINALL, Liverpool, stock and share broker, dealer and chapman, April 17 and May 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Littledale & Bardswell, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated March 31

WILLIAM PITFIELD, Tottington Lower End, Lancashire, bleacher, dealer and chapman, April 20 and May 17 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Rushton & Armistead, Bolton; Gregory & Co., Bedford-row, London.—Fiat dated March 31.

WILLIAM BARTHOLOMEW HANKINS, Lugwardine, Herefordshire, cattle, sheep, and corn dealer, hop merchant, dealer and chapman, April 14 and May 16 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Pritchard, Hereford; Bloxham, Birmingham; J. & C. Robinson, Queen-street-place, London.—Fiat dated March 31.

JOHN WOODHOUSE, Darlington, Durham, butcher, dealer and chapman, April 17 at half-past 10, and May 22 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Allison, Darlington; Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne; Tilson & Co., 29, Coleman-street, London.—Fiat dated March 29.

MEETINGS.

James Andrew, Dean Water, Prestbury, Cheshire, and Manchester, calico printer, April 18 at 12, District Court of Bankruptcy, Manchester, pr. d.—*G. Houldsworth*, Northowram, Halifax, Yorkshire, worsted spinner, April 26 at 11, District Court of Bankruptcy, Leeds, last ex.—*Robt. Goring*, Brentford, Middlesex, butcher, April 27 at 1, Court of Bankruptcy, London, aud. ac.—*Alexander Anderson*, Philpot-lane, London, merchant, April 27 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Minton*, Liverpool, linen draper, April 27 at 11, Court of Bankruptcy, London, aud. ac.—*J. Jackson*, Lackenby, Yorkshire, builder, April 30 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 1 at 11, div.—*Joseph Oxley*, Bradford, Yorkshire, cotton warp dyer, April 27 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*J. Ellis*, Preston, Lancashire, cotton spinner, April 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James*

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Jones, Penkridge, Staffordshire, victualler, May 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Francis Williams*, Harrishead, Wolstanton, Staffordshire, grocer, May 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*G. Davies*, Maesbury, Oswestry, Shropshire, miller, May 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*M. Smith*, Birmingham, ironfounder, May 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*James Edwards*, Birmingham, ironfounder, May 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*J. P. Hope*, Atherstone, Warwickshire, builder, May 12 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Edward Ellis*, Wednesbury, Staffordshire, builder, May 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Bull* and *Fras. Turner*, Birmingham, printers, May 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*G. F. Wright*, Ironbridge, Madely, Shropshire, innkeeper, May 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*W. Kirk*, Leicester, builder, May 4 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*Edw. L. James*, Queen-street, Cheapside, London, stationer, April 30 at half-past 1, Court of Bankruptcy, London, div.—*Wm. Abbott* and *Wm. Abbott* the younger, Bermondsey-street, Southwark, Surrey, patent hair felt manufacturers, April 27 at 11, Court of Bankruptcy, London, div.—*James P. Withers*, Winchester, draper, April 27 at 1, Court of Bankruptcy, London, div.—*William Minton*, Liverpool, linen draper, April 27 at 11, Court of Bankruptcy, London, div.—*Joseph Ager*, Northampton, shoe manufacturer, April 28 at 12, Court of Bankruptcy, London, div.—*R. H. Evans* and *Chas. Evans*, New Bond-street, Middlesex, auctioneers, April 27 at 1, Court of Bankruptcy, London, div.—*P. F. A. V. Vyver*, Crutched-friars, London, merchant, April 28 at 12, Court of Bankruptcy, London, div.—*James Dent*, Huddersfield, Yorkshire, cloth merchant, April 27 at 11, District Court of Bankruptcy, Leeds, div.—*John Whitworth*, Leeds, Yorkshire, millwright, April 27 at 11, District Court of Bankruptcy, Leeds, div.—*W. Ask*, Wakefield, Yorkshire, watchmaker, May 1 at 12, District Court of Bankruptcy, Leeds, div.—*Charles Broad*, Bristol, timber merchant, April 27 at 11, District Court of Bankruptcy, Bristol, div.—*James Roe*, Manchester, drysalter, April 27 at 12, District Court of Bankruptcy, Manchester, first and fin. div.—*Wm. Clayton*, Langcliffe, Yorkshire, *Wm. Clayton*, Lostock, Walton-le-Dale, and *Wm. Wilson*, Preston, Lancashire, bankers, April 27 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Robert C. Chappell, Trinity-chambers, Water-lane, Tower-street, London, wine merchant, April 28 at 11, Court of Bankruptcy, London.—*Samuel Bennett*, High-st., Islington, Middlesex, draper, April 28 at half-past 12, Court of Bankruptcy, London.—*James S. Turner*, Powis-street, Woolwich, Kent, surgeon, April 27 at 1, Court of Bankruptcy, London.—*George Davison*, Prince's-street, Turk-st., Bethnal-green, Middlesex, leather seller, April 28 at half-past 1, Court of Bankruptcy, London.—*Andrew D. Young*, Gracechurch-st., London, and Boxworth-grove, Islington, Middlesex, commission agent, April 30 at 11, Court of Bankruptcy, London.—*Wm. Minton*, Liverpool, linen draper, April 27 at 11, Court of Bankruptcy, London.—*Josiah Tibbs*, Railway-place, Fenchurch-street, London, wine merchant, April 28 at 11, Court of Bankruptcy, London.—*Chas. F. Ellerman* and *Henry S. Coleman*, St. Martin's-lane, Westminster, Middlesex, merchants, April 27 at 11, Court of Bankruptcy, London.—*John Holley*, Norton Saint Philip, Somersetshire, miller, April 27 at 11, District Court of Bankruptcy, Bristol.—*T. Grimbley*, Stratford-upon-Avon, Warwickshire, commercial clerk, April 24 at 11, District Court of Bankruptcy, Bristol.—*Hannah Husband*, Richmond, Yorkshire, innkeeper, May 1 at 1, District Court of Bankruptcy, Leeds.—*A. J. Crowther*, Church Garforth, Yorkshire, draper, April 30 at 11, District Court of Bankruptcy, Leeds.—*John Bradley*, Boston, Bramham, Yorkshire, painter, April 30 at 1, District Court of Bankruptcy, Leeds.—*Robert Owen*, Manchester, tailor, April 30 at 12, District Court of Bankruptcy, Manchester.—*G. Latham*, Liverpool, hotel keeper, April 30 at 11, District Court of Bankruptcy, Liverpool.—*George Maddock*, Burslem, Staffordshire, grocer, May 1 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before April 27.

Sam. J. Thomas, London-road, Southwark, Surrey, surgeon.—*Thos. Stanley*, Dudley, Worcestershire, and Tipton, Staffordshire, printer.—*Samuel Brownentt*, Liverpool, fruit merchant.—*Thos. Williams*, Birmingham, surgeon.—*Jas. W. Jeffryes* and *John Meek*, Liverpool, merchants.—*S. Williams*, Reading, Berkshire, coach proprietor.—*Henry Hawgood*, Newington-causeway, Surrey, stationer.—*James Horsfield*, Sunderland, Durham, merchant tailor.—*John Jackson*, Clifford, Herefordshire, farmer.—*Alex. Warrand*, Skinner-street, Snow-hill, London, money scrivener.—*John Bishop*, Worcester, carpenter.—*Thos. Bourne*, Birmingham, coal dealer.—*Anthony Gardiner* the younger, Chepstow, Monmouthshire, timber merchant.—*Jos. L. Butler*, Liverpool, coal merchant.

FIATS ANNULLED.

Robert Winson and *Wm. Winson*, Leeds, Yorkshire, linen drapers.—*Thos. Sam. Sharland*, Frome Selwood, Somersetshire, linen draper.

SCOTCH SEQUESTRATIONS.

Hugh Ferguson, Glasgow, commission merchant.—*James Robertson*, Hall, Caldwell, Renfrewshire, farmer.—*Robert Cunningham*, Glasgow, contractor.—*Allan Alex. Marshall*, Aberdeen, coppersmith.—*Eric Finlason*, Aberdeen, tailor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Penny, Bishop's Hull, near Taunton, Somersetshire, farmer, April 18 at 10, County Court of Somersetshire, at Taunton.—*George Matthews*, New-town, Montgomeryshire, attorney at law, April 17 at 10, County Court of Montgomeryshire, at New-town.—*John Jones*, Llanfair, Montgomeryshire, surgeon, April 19 at 10, County Court of Montgomeryshire, at Welshpool.—*Wm. Steer*, Ashton-under-Lyne, Lancashire, joiner, April 12 at 10, County Court of Lancashire, at Ashton-under-Lyne.—*Z. Parry*, Awre, Gloucestershire, out of business, April 20 at 10, County Court of Gloucestershire, at Newnham.—*I. Rowe*, Wellington, Somersetshire, tailor, April 17 at 2, County Court of Somersetshire, at Wellington.—*J. Ross*, Ilkeston, Derbyshire, grocer, April 18 at 10, County Court of Derbyshire, at Belper.—*George Moody*, Great Driffield, Yorkshire, joiner, April 16 at 10, County Court of Yorkshire, at Great Driffield.—*Henry Spencer*, King's Lynn, Norfolk, dealer in cutlery, April 14 at 4, County Court of Norfolk, at King's Lynn.—*William Harris*, Tardebigg, Worcestershire, out of business, April 24 at 9, County Court of Worcestershire, at Redditch.—*Wm. Sharp*, King's Lynn, Norfolk, pipemaker, April 14 at 4, County Court of Norfolk, at King's Lynn.—*John Rolings*, Taunton St. Mary Magdalen, Somersetshire, grocer, April 18 at 10, County Court of Somersetshire, at Taunton.—*Charles Davies*, Hubberstone, Pembrokeshire, butcher, April 20 at 9, County Court of Pembrokeshire, at Haverfordwest.—*Anthony Guidice*, Birmingham, brace manufacturer, April 23 at 2, County Court of Warwickshire, at Birmingham.—*Edward Perry*, Birmingham, boot maker, April 23 at 2, County Court of Warwickshire, at Birmingham.—*Jos. Ashton*, Birmingham, nail manufacturer, April 23 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Henry Benton*, Aston, Warwickshire, inlayer, April 23 at 2, County Court of Warwickshire, at Birmingham.—*James Bashford*, Birmingham, coal dealer, April 23 at 2, County Court of Warwickshire, at Birmingham.—*Benj. Smith*, Moseley, Worcestershire, chemist, April 23 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Taylor*, Birmingham, iron founder, April 23 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Register*, King's Lynn, Norfolk, baker, April 14 at 4, County Court of Norfolk, at King's Lynn.—*James Gurr*, Milton, next Gravesend, clerk to an ale brewer, April 14 at 10, County Court of Kent, at Gravesend.—*Charles Ashwin*, King's Norton, Worcestershire, clerk at a brewery, April 23 at 2, County Court of Warwickshire, at Birmingham.—*John Clarke*, Devonport, Devonshire, painter, June 21 at 11, County Court of Devonshire, at Plymouth.—*James Alexander Barry Clarke*, Devonport, Devonshire, painter, June 21 at 11, County Court of Devonshire, at Plymouth.—*Pierre Sisco*, Ramsgate, Kent, interpreter of foreign languages, April 21 at 10, County Court of Kent, at Ramsgate.—*Mary Ann Wel-*

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lard, Brighton, Sussex, lodging-house keeper; April 13 at 2, County Court of Sussex, at Brighton.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 23 *at* 11, *before Mr. Commissioner* PHILLIPS.

Nicholas Wanostrocht, Myrtle-villa, Blackheath, Kent, and Nicholas-lane, Lombard-st., London, classical teacher.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 20 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Martin, Chancery-lane, Middlesex, baker.—*Judah de Jacob Pariente*, Beckford-place, Kennington-common, and Bishopsgate-st., City, general merchant.—*Horatio Mahomed*, Little Ryder-st., Westminster, and Burton-st., Burton-crescent, Middlesex, bath proprietor.—*John Moser*, Mortimer-st., Cavendish-square, Middlesex, upholsterer.—*James Francis Cole*, Valentine-place, Long-lane, Bermondsey, Surrey, pump maker.—*Ed. Stanley*, Melton-st., Dorset-square, captain in the Royal Navy.

April 21 *at* 11, *before Mr. Commissioner* PHILLIPS.

Thomas Martindale, Bidborough-st., Burton-crescent, Middlesex, clerk in the General Registration-office, Somerset-house.—*John Ed. Bennison*, Clarence-place, Clapham-road, Surrey, coach builder.—*George Cox*, Hardinge-st., Islington, Middlesex, working optician.

April 23 *at* 11, *before the* CHIEF COMMISSIONER.

John Williams, Frederick-place, Hampstead-road, Middlesex, accountant.—*Geo. West*, Whitecross-st., Old-st., Middlesex, baker.—*Philip Slade*, Sale-st., Paddington, Middlesex, carpenter. — *Chas. Templar*, Brick-lane, Spitalfields, Middlesex, assistant to a pork butcher.—*Ed. Villiers Crotty*, Hemus-ter., King's-rd., Chelsea, Middlesex, attorney at law.

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The Jurist

No. 640—Vol. XIII. APRIL 14, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
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LONDON, APRIL 14, 1849.

From the remarks that fell not long ago in the House of Commons, from one of the most eminent persons in that assembly, we are led to anticipate the possibility—would that we could say the proximate probability—of a substantial reform in the procedure of the Court of Chancery.

That such a reform is becoming every year more and more requisite, for the interest both of the public and of the Profession, is quite plain. The public has been gradually, and with reason, acquiring the conviction, that the relief to be obtained by going into Chancery is purchased at so great a sacrifice, that the remedy is frequently more terrible than the evil against which relief is sought. Hence, injustice is commonly submitted to in preference to resorting to the dreaded Court of Chancery; and a jurisdiction, founded on the highest and purest principles of justice, has become comparatively useless.

There is nothing in the principles of equitable jurisdiction which necessarily involves practical consequences so fatal to their application. The leading distinction between the principles of equity and common-law jurisdiction, so far as they are distinct, is, that equity prevents the commission of wrongful acts, or enforces the performance of those that, in equity and justice, ought to be done, but gives no compensation for a wrong actually done; while the common law gives a remedy, by way of compensation, for a wrong done; but neither prevents the doing of a wrong, nor enforces the performance of a duty.

The leading distinction between the procedures of the two jurisdictions is, that in equity, firstly, the whole facts of the case are put in detail in writing, and the whole evidence is also taken in writing; and, secondly, the defendant is examined as to matters affecting his own interest: while at law the defendant cannot be so examined, and the heads only of the case are put in writing, the evidence being all brought out vivâ voce. How the two systems of judicature came to be separated, and intrusted to distinct tribunals, is of little consequence. They have become so, and there seems no reason of convenience for forcibly consolidating them. It is obvious—at any rate, we shall take it for admitted—that each system is necessary for administering justice in the complicated state of property which exists in this country; but it is not less obvious, that, to be worth anything to the public, each system must be conducted in such a manner as to bring it within the reach of those whose rights of property require its interference.

It is certain that the system of equitable jurisdiction is not so conducted. No doubt there is an immense number of cases in which the magnitude of the interests at stake, and the wealth of the contending parties, make the costliness and delay of proceedings in Chancery, little felt. But the mass of the litigation of a commercial community relates to subjects of contest of moderate amount; and, for such subjects, the cost of equitable litigation is out of all reasonable proportion to the value of the subject-matter.

Of the beneficial operation of the system of examining a defendant, for the purpose of detecting fraud, there can be no manner of doubt; and that, for the purpose of working out such a jurisdiction, a procedure by writing, minutely stating the case, is essential both for the examination and the protection of the person charged, is also clear; because, to bring against a defendant sudden accusations of fraud, and a mass of inculpatory state-

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ments, and to call upon him to answer them without previous thought and preparation, would be productive of infinite oppression; and, on the other hand, unless the plaintiff has time coolly to consider the story told by the defendant, in order to detect fallacies in its reasoning or inaccuracies in its facts, the searching power of equity would be but of little value. But these reasons apply to the single case of the defendant being examined as to matters affecting his own interest. As to every other branch of equity procedure, there seems no more necessity for everything being done at length in writing, than in proceedings at common law. It is not at all meant to be asserted, that precision in the statement of the claims of the parties, whether of the plaintiff or the defendant, is not requisite in equity proceedings; but the necessary precision fixes the limit of the necessary amount of written pleadings in equity as well as at law. All beyond that, is mere waste of time, and a mischievous increase of expense.

The first step, therefore, in substantial Chancery reform, would be to revise the whole system of pleading, with a view to abolish the length of the written pleadings, wherever that can be done consistently with the preservation of the essential qualities of an equitable jurisdiction.

To consider this part of the subject, it is necessary to go a little into details.

The initiated know, and the uninitiated may hereby learn, that *every* suit in Chancery commences by a bill, which is a minute statement in writing of the whole of the plaintiff's case; that is, of all the facts, and of the substance at least of all the documents, under which he claims a right against the defendant. The statement is followed by interrogatories as to every one of the matters alleged, inquiring of the defendant, in the most involved form of expression that art can contrive, whether each such matter, or something relating to it, is or is not true. This is the substance of a bill in Chancery; and as nothing can be asked of the defendant or proved, unless it be founded on the statements of the bill, it follows that the draftsman, if he wishes to guard against surprise, must add, in many cases, statements of a variety of imaginary circumstances, in order to elicit admissions of possible facts. To this an answer, minutely answering every interrogatory, must be given in writing; the facts on which each party relies are then to be proved by witnesses, examined upon written interrogatories, and answering in writing. It is not going too far to say, that, by reason of the forms of language adopted in interrogating a defendant, and of the rules of pleading affecting the defendant's liability to answer every question completely, on an average every question put by a bill in Chancery (in a contested case) is unavoidably answered twice over; we do not mean, of course, twice in substance, but twice in point of quantity of words used.

Now, we hesitate not to say, that, probably in *every* case, but certainly in all except a few excepted cases, a *very* short statement of facts would be sufficient (if sanctioned by the rules of practice) on behalf of a plaintiff; and no interrogatories at all would be requisite. And we further assert, that in no case whatever is there any advantage in examining the *witnesses* upon written interrogatories; at least, not upon interrogatories framed in the complex manner adopted in Chancery.

To commence at once with the most difficult class of cases, viz. that in which both the facts and the law are in contest, all that is requisite in the commencement of the litigation is, that the material facts alleged on both sides, and the points of law raised or raiseable, should be presented to the Court; and that may be done in a much simpler and shorter form than by bill and answer, without any loss of precision.

The plaintiff might concisely state his facts, and what he claims, by a petition, referring to, not incorporating, the documents intended to be relied on, and of which he should be bound to give inspection. On filing his petition he should be required to give notice to the defendant of the facts in support of which he intends to produce evidence. The petition, or statement of facts of the plaintiff, should be accompanied by no interrogatories whatever. If the plaintiff desired discovery from the defendant, he might give notice to that effect; and then, but not otherwise, the defendant should be bound to put in a written answer to the statements, as complete as if he had been specifically and technically interrogated. If the defendant did not answer satisfactorily, the plaintiff might then be at liberty to except, as he does now; and if successful on the exceptions, then, and not otherwise, he might be at liberty to present written interrogatories to the defendant, who could not complain of his expense being increased, if he had caused it by his own wilful neglect or carelessness. Whether the plaintiff required discovery from the defendant or not, he should be bound to give him notice of the facts on which he intended to go into evidence. If the defendant was not called upon to give discovery, he should be at liberty either simply to deny the truth of the whole statement of facts, or of any separate statement or group of statements; or so denying the whole or a part of the statement of facts, to make also any counter-statement of facts, giving notice of the positive counter-statements on which he intended to go into evidence. Then, upon this state of the pleadings, the cause might be heard, each party producing in support of his case, witnesses to be examined *vivâ voce*, as at law. This state of pleadings would correspond to, and we believe answer all the purposes of, the present bill, with its charges and interrogatories; of the answer, with its traverses and counter-statements; of the written interrogatories administered to witnesses, and their written depositions; and we have no manner of doubt that it would, under the regulations which it would warrant, as to time allowed in procedure, reduce the time expended in, and the cost expended upon, Chancery proceedings, from 50 to 75 per cent. Whether expense and time would be saved by bringing up and examining witnesses in open court, or whether it would be better to examine them before a separate officer such as the Examiner, and to take their written depositions into court, is a question rather of statistics than of reasoning. The great point is to abolish the written *interrogatories*, and to examine the witnesses *vivâ voce*. We are, of course, stating only the broad outline of a system of pleading capable of being substituted for the present system of equity pleading. We have not here space, nor is it yet the proper time, for entering into the

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suggestions for the details of all the intermediate proceedings which may be requisite for the complete administration of equitable justice—such as the enforcing of the production of papers, the appointing of receivers, the granting of injunctions, &c.; nor for the prosecution of such inquiries as may, under any system of pleading and practice, be found requisite to bring before the Court all parties who may be entitled to claim, and all accounts in respect of which the Court may be required to adjudicate. Suffice it, on this part of the subject, to say, that we shall be found ready, in this Journal, to afford any aid to Chancery reform, which such practical knowledge as we possess may enable us to give, in making suggestions in reference to details, as well as in reference to principles. All that at present we are anxious to urge is, that the vitality of equity depends on its principles, not on the particular existing form of pleading, which may have been dictated originally by its utility, but which has now become, under changed circumstances, an intolerable burthen; and that equity may be administered with as little of lengthy writing as law. We are well aware, that, even at this day, our views, and the views of any who swear not by bills and answers and written interrogatories, will meet with great opposition, and probably some ridicule. It will be said, too, perhaps, that the very plan we propose to substitute is, after all, a bill and answer; and that, if we admit that the facts of a case must be stated with precision, and in writing, we admit the necessity of the existing system. The answer is, that there will be a wide distinction in results between a system, the governing rule of which is, that you must state everything *in detail* in writing, and get an answer to everything *in detail* in writing, so that the evidence shall be nothing but an echo of the pleadings; and one under which you are to state only, in writing, the substance of the facts, or, as it were, the heads of your case, and to establish your case by evidence brought out, as vivâ voce evidence is at law, and in all common business transactions, by a series of questions consistent with, but not to be found in, the written pleadings.

Court Papers.

EQUITY SITTINGS, EASTER TERM, 12 Vict. 1849.

Court of Chancery.

Before the Lord Chancellor, *at Westminster.*

Monday	*April* 16	Appeal Motions.
Tuesday	17	(Petition-day).—Petitions.
Wednesday	18	Remaining Appeal Motions, Petitions, and Appeals.
Thursday	19	
Friday	20	
Saturday	21	
Monday	23	
Tuesday	24	
Wednesday	25	
Thursday	26	Appeal Motions and Appeals.
Friday	27	(Petition-day).—Petitions (unopposed only) and Appeals.
Saturday	28	Appeals.
Monday	30	
Tuesday	*May* 1	
Wednesday	2	
Thursday	3	Appeal Motions.
Friday	4	(Petition-day).—Petitions (unopposed only) and Appeals.
Saturday	5	Appeals.
Monday	7	
Tuesday	8	Appeal Motions and Ditto.

N.B.—Such days as his Lordship sits on Appeals in the House of Lords excepted.

Rolls Court.

Before the Right Hon. the Master of the Rolls, *at Westminster.*

Monday	*April* 16	Motions.
Tuesday	17	Petitions in the General Paper.
Wednesday	18	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Thursday	19	
Friday	20	
Saturday	21	
Monday	23	
Tuesday	24	
Wednesday	25	
Thursday	26	Motions.
Friday	27	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	28	
Monday	30	
Tuesday	*May* 1	
Wednesday	2	
Thursday	3	Motions.
Friday	4	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	5	
Monday	7	Petitions in the General Paper.
Tuesday	8	Motions.

Short Causes, Consent Causes, and Consent Petitions, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.

Before the Vice-Chancellor of England, *at Westminster.*

Monday	*April* 16	Motions.
Tuesday	17	(Petition-day).—Petitions.
Wednesday	18	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday	19	
Friday	20	Short Causes and Ditto.
Saturday	21	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	23	
Tuesday	24	
Wednesday	25	
Thursday	26	Motions.
Friday	27	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	28	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	30	
Tuesday	*May* 1	
Wednesday	2	
Thursday	3	Motions.
Friday	4	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	5	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	7	
Tuesday	8	Motions.

Before Vice-Chancellor Knight Bruce, *at Westminster.*

Monday	*April* 16	Motions.
Tuesday	17	(Petition-day).—Petitions.
Wednesday	18	Bankrupt Petitions.
Thursday	19	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	20	
Saturday	21	Short Causes and Ditto.
Monday	23	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	24	
Wednesday	25	Bankrupt Petitions and Causes.
Thursday	26	Motions.
Friday	27	(Petition-day).—Petitions and Causes.
Saturday	28	Short Causes and Causes.
Monday	30	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	*May* 1	
Wednesday	2	Bankrupt Petitions.
Thursday	3	Motions.
Friday	4	(Petition-day).—Petitions and Causes.
Saturday	5	Short Causes and Causes.
Monday	7	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	8	Motions.

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Before VICE-CHANCELLOR WIGRAM, *at Westminster.*

Monday ..	*April* 16	Motions and Causes.
Tuesday.....	17	(Petition-day).—Petitions (unopposed first) and Causes.
Wednesday	18	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Thursday	19	
Friday	20	
Saturday	21	Short Causes and Ditto.
Monday.....	23	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	24	
Wednesday	25	
Thursday.....	26	Motions and Ditto.
Friday	27	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	28	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	30	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	*May* 1	
Wednesday	2	
Thursday	3	Motions and Ditto.
Friday	4	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	5	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	7	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	8	Motions and Ditto.

COMMON-LAW SITTINGS, IN AND AFTER EASTER TERM, 1849.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

1st sitting .. Tuesday, *April* 17, and following days, at 11.
2nd sitting.. Friday ..... 20, and subsequent days, at 11.
3rd sitting.. Saturday.. *May* 5, at half-past 9 precisely (for undefended causes only).

After Term.—Wednesday, *May* 9, at half-past 9.

A list of causes will be printed immediately; but on the uncontradicted statement of either side that a cause is too long to be tried in term, it will be withdrawn from such list, and a small number of completed and new causes will be put into the list day by day in their usual order.

LONDON.—*In Term.*

Sitting at 10, on Monday, *May* 7, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Thursday, *May* 10, to adjourn.

Court of Common Pleas.

In Term.

MIDDLESEX.		LONDON.	
Wednesday	*April* 18	Friday	*April* 20
Wednesday	25	Friday	27

After Term.

Wednesday	*May* 9	Thursday.....	*May* 10

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Thursday, the 10th May, in London, no causes will be tried, but the Court will adjourn to a future day.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Tuesday, *April* 17	1st sitting, Wednes., *April* 25
2nd sitting, Thursday.... 26	2nd sitting, Wednes., *May* 2
3rd sitting, Thursday.. *May* 3	

After Term.

Wednesday	*May* 9	Thursday.....	*May* 10 (To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

COMMON-LAW CAUSE LISTS, EASTER TERM.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER HILARY TERM, 1849.

STANDING FOR JUDGMENT.

Huntley *v.* Russell & an.
Doe *d.* Campbell *v.* Hamilton

FOR ARGUMENT.

EASTER TERM, 1846.

York—Worth *v.* Gresham

EASTER TERM, 1848.

Kent—Doe *d.* Warren *v.* Brydges
Sussex—Forth *v.* Simpson
Denbigh—Doe *d.* Clay & ors. *v.* Jones & ors.
Leicester—Bailey *v.* Macaulay
Warw.—Same *v.* Pearson
Liv'pool—Hassall *v.* Cole

MICH. TERM, 1848.

Midd.—Gardner *v.* Slade
,, Hulse *v.* Esdaile
Lond.—Baum *v.* Ricketts
,, Baily & an. *v.* Haines
,, Small *v.* Nairn
Essex—Sturges *v.* Cooper
,, Doe *d.* Carter *v.* Barnard
Devon—Doe *d.* Moore & an. *v.* Dunning & an.
Cornw.—Doe *d.* Rowe *v.* Howell
Bristol—Scott *v.* Ferris
Cardigan—Reg. *v.* Bowen
York—Reg. *v.* Inhabitants of Brightside Brerlowe
,, Same *v.* Inhabs. of Attercliffe cum Darnall
,, Same *v.* Inhabitants of Tinsley
Durham—Jenkyns *v.* Hutchinson
Lancash.—Robinson *v.* Waddington & an.
Liv'p.—Walley *v.* Stone & ors.
,, Company of Proprietors of Rochdale Canal *v.* King
,, James & ors. *v.* Lynn
,, Jenkyns *v.* Brown
Camb.—Hammond *v.* Bendyshe
,, Fuller *v.* Brown
,, Preston *v.* Titchmarch
Suffolk—Doe *d.* Marriott *v.* Marquis of Hertford
,, Rudland *v.* Mills
Oxford—Allen *v.* Gilkes
,, Same *v.* Same
Worcester—Doe *d.* Mence *v.* Hadley
Stafford—Bate *v.* Pane

Tried during Mich. Term, 1848.

Midd.—Girdley *v.* Austin

HILARY TERM, 1849.

Midd.—Hankinson *v.* Alcock
,, Gadsby *v.* Estall
,, Morrell *v.* Wootten
,, Daubney *v.* Phipps
,, Reg. *v.* Smith & ors.
,, Reg. *v.* Smith & ors.
,, Neeves *v.* Burrage
,, Osterman *v.* Bateman
Lond.—Dawson & ors. *v.* Hay
,, Job *v.* Hudson
,, Baily *v.* Bracebridge
,, Wilson *v.* Holden

Tried during Hilary Term, 1849.

Midd.—Arden *v.* Sullivan
,, Doe *d.* Howe *v.* Thornton

SPECIAL CASES AND DEMURRERS

FOR EASTER TERM, 1849.

Those marked thus * are Special cases—the rest are demurrers.

STANDING FOR JUDGMENT.

*Russell *v.* Phillips
*Ostler *v.* Cooke & ors.
*M'Swiney *v.* The Royal Exchange Assurance Co.

FOR ARGUMENT.

Morris *v.* Duke of Beaufort (stands over by consent)
*Trinity House *v.* Beadle
*Green & ors. *v.* St. Katherine Dock Co.
Everest & ors. *v.* Humphery
Ryan *v.* Clark & an.
*Ayrton & an. *v.* Abbott & an.
*Doe *d.* Payne *v.* Plyer
Elliott & ors. *v.* Von Glehn
*Doe *d.* Dand *v.* Thompson
Wilson *v.* The South-eastern Railway Co.
Newton *v.* Bishop
*Sherlock *v.* Spiers
Smith & an. *v.* Alexander
Duke of Rutland *v.* Bagshaw
Small & ors. *v.* Gibson
Howley *v.* Knight
*Sturge & an. *v.* Jenkins
Dowling *v.* Becke
Milner *v.* Janes
*Wilson *v.* Eden, Bart.
*Doe *d.* Reg. *v.* Archbishop of York
Marson & an. *v.* Lund
Flockton & ors. *v.* Hall & ors.
Dowdall *v.* Hallett & ors.
Same *v.* Same
Same *v.* Same
Same *v.* Same
Ryan *v.* Giles
Smith *v.* Bennet
Ricketts *v.* Loftus
*Evelyn *v.* Worsfold
*Steele *v.* Hoe
Russell & an. *v.* Barnard
Dewar & an. *v.* Hallett & ors.
Same *v.* Whittam & ors.
Same *v.* Hatfield & ors.
Pye *v.* Plant & ors.
Palmer *v.* Welch
Cannon *v.* Wetherill
Woolley & an. *v.* Vernon
Rossetti *v.* Watling

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Hudson *v.* Elkins
*Huntley & ors. *v.* Pinto & an.
*Houlden *v.* Smith
*Bunter & an. *v.* Cresswell
Whitmore & ors. *v.* Hale & an.
Armitage *v.* Insole & an.
Sharp *v.* Fuller
Thompson *v.* Ingham & an.
Robins *v.* Bate
Meyrick & an. *v.* Anderson
Robins *v.* Bate
Gluslin *v.* Deen
Sayles *v.* Blane
Tull *v.* Tull
Freer *v.* Salmon
Chrisp *v.* Atwell
*Wray *v.* Chapman
Birkenhead, Lancashire, and Cheshire Junction Railway Co. *v.* Chadwick

ENLARGED RULES
For Easter Term, 1849.

Those marked thus * are to be heard in the Bail Court.

First Day.

*In re Thompson and the Cockermouth and Workington Extension Railway Co.
*In re Watson & ors.
Ex parte Wilkinson, in re Smith
*In re Bate & ors.
Allen & ors. *v.* Goodchild
*Taylor *v.* Mould
Freeman (a pauper) *v.* Rosher
*Stanbank *v.* Ethelston
Reg. *v.* London and Northwestern Railway Co.
Same *v.* Surveyors of Highways of Woodditton

Second Day.

*In re Houndge
*Wild *v.* Coleby
*In re Clay
*In re Beadon & an.
In re Fosbrooke
*Doe *d.* Harrison *v.* Louch
*Reg. *v.* Recorder of Bolton
*Same *v.* Commissioners of Sewers
*Same *v.* Justices of Surrey

Fifth Day.

*Reg. *v.* Inhabs. of Angmering
Same *v*, London and Northwestern Railway Co.
Same *v.* Same

CROWN PAPER, EASTER TERM, 1849.

Carnarvonshire Reg. *v.* Inhabitants of St. Pancras, Middlesex (with Bangor).
Essex ——— Inhabitants of Hatfield Peverel.
Liverpool ——— Mayor of Liverpool.
Sussex ——— Inhabs. of St. Thomas, Winchilsea.
Denbighshire ——— Inhabitants of Llandogget.
Middlesex ——— Inhabs. of St. Leonard, Shoreditch.
Yorkshire ——— Inhabitants of Linthwaite.
Same ——— Inhabitants of Silkstone.
Surrey ——— Inhabitants of St. Olave, Southwark.
Middlesex ——— Inhabitants of St. George, Hanover-square.
Warwickshire ——— Inhabitants of Priors Hardwick.
Yorkshire ——— Inhabitants of Goole.
Middlesex ——— Inhabitants of Ealing.
Staffordshire ——— Inhabitants of Penkridge.
Salop ——— Inhabitants of Ellesmere.
Essex ——— Inhabitants of Leaden Roothing.
Surrey ——— T. Holland.
Breconshire ——— Inhabitants of Merthyrmawr.
Yorkshire ——— Inhabitants of Barnsley.
London ——— Baptist Missionary Society.
Lancashire ——— Inhabitants of Halliwell.
Middlesex ——— Directors of the Poor of St. Pancras.
Lancashire ——— Inhabitants of Preston.
Surrey ——— Inhabitants of St. Mary, Newington, (with Mountnessing).
Same ——— Inhabitants of St. Mary, Newington, (with Widford).
Derbyshire ——— Inhabitants of All Saints.
Middlesex ——— Inhabs. of Aston, near Birmingham.
Wiltshire ——— Inhabitants of Bradford.
Yorkshire ——— Mayor and Aldermen of Hull.
Cornwall ——— Inhabitants of Crowan.
Lincolnshire ——— J. Perkins.
Lancashire ——— Inhabitants of Wigan.
Cambridgeshire ——— Newmarket Railway Company.
Cornwall ——— Inhabitants of Bodmin.
Surrey ——— Inh. of St. Pancras (with Lambeth).
Lancashire ——— Inhabitants of Wolverhampton.
Surrey ——— Commissioners of Woods and Forests.
Lancashire ——— Inhabitants of Spotland.
St. Alban's ——— W. Thomas.
Lincolnshire ——— Inhabitants of Holywell.
Worcestershire ——— F. W. Dyer.
Surrey ——— London, Brighton, and South Coast Railway Company.
Lancashire ——— Reg. *v.* Inhabitants of Preston (with Roeburndale)
Same ——— Same (with Elswick).
Kent ——— Inhabitants of Chatham.
Hants ——— Inhabitants of Basing.
Norfolk ——— Inhabitants of Chedgrave.

Court of Common Pleas.

NEW TRIALS.

Trinity Term, 1847.

Midd.—Barnes *v.* Ward (to be re-argued)

Easter Term, 1848.

Midd.—Kinning *v.* Buchanan
,, Duke of Brunswick *v.* Sloman
,, Same *v.* Same
,, Same *v.* Same
,, Sargent *v.* Gannon
,, Bowyer *v.* Long
,, Thompson *v.* Wesleyan Newspaper Association
,, Same *v.* Same
,, Summers *v.* Davis
,, Franklin *v.* M'Leod
Lond.—Richards *v.* London, Brighton, & South Coast Railway Co.
,, Lewis *v.* Campbell
,, Walker *v.* Giles
,, Bayley *v.* Wilkins
,, Somerville *v.* Hawkins
,, Jones *v.* Broadhurst
Surrey—Pennell *v.* Stephens
Somerset—Lee *v.* Lester

Trinity Term, 1848.

Midd.—Sawyer *v.* Langford
,, Thorogood *v.* Bryan
Lond.—French *v.* Candy
,, Maxey *v.* Thomas
,, Rathbone *v.* Clarke
,, Green *v.* Slack
,, Groom *v.* Watson
,, Smith *v.* Thompson

Michaelmas Term, 1848.

Midd.—Morgan *v.* Field
,, Newton *v.* Chaplin
Midd.—Russell *v.* Tubb
,, Smith *v.* Pritchard
Lond.—Monaghan *v.* Walker
,, Fitch *v.* Martyr
,, Howard *v.* Mull
,, Smith *v.* Hull Glass Co.
,, Moss *v.* Smith
,, Stebbing *v.* Spicer
Denbigh—Doe *d.* Williams *v.* Sparrow
Chester—Worthington *v.* Warrington
Essex—Wilby *v.* Elston
Sussex—Doe *d.* Eversfield *v.* Troup
Surrey—Alcock *v.* Butt
,, Cory *v.* Norfolk Railway Co.
,, Kempson *v.* Grayfere
,, Hamilton *v.* Cochran
Suffolk—Doe *d.* Archer *v.* Johnson
,, Same *v.* Same
Norfolk—Heyhoe *v.* Burge
,, Morse *v.* Same
York—Duncan *v.* Topham
Hants—Pilgrim *v.* Southampton and Dorchester Railway Co.
Bristol—Acraman *v.* Morris
,, Lewis *v.* Lloyd
Glamorgan—Doe *d.* Rogers *v.* Price
Oxon—Hicks *v.* Gregory

Hilary Term, 1849.

Midd.—Cattlin *v.* Hills
,, West *v.* Baxendale
Lond.—Barnes *v.* Troup
,, Lindsey *v.* Barron
,, Warren *v.* Peabody
,, Vines *v.* Arnold

ENLARGED RULES.

First Day.

Francis *v.* Webb
Meeten *v.* Nichols
Smith *v.* Troup

DEMURRER PAPER.

Friday, April. 20.

Engstrom *v.* Brightman
Reed *v.* Shrubsole (settled by order of Patteson, J., 12th March)
Jones *v.* Ashfield
Ward *v.* Dalton
Munroe *v.* Bordier
Gooch *v.* Shordiche
Batty *v.* St. Aubyn
Besset *v.* De Witte
Graham *v.* Cox
Wetherell *v.* Julius
Field *v.* Walker
Empson *v.* Knowles
Sands *v.* Clarke
Wilson *v.* Bevan
Sinauer *v.* Great Western Railway Co.
Same *v.* Same
Birch *v.* Rees
Hill *v.* Kempshall
Wood *v.* Governors and Co. of Copper Miners of England
Smith *v.* London, Brighton, and South-coast Railway Co.
Richards *v.* Egan
Tate *v.* Hitchings
Robinson *v.* Marquis of Bristol
Devaux *v.* Conolly
Robinson *v.* Marquis of Bristol
Paterson *v.* Davis
Kinnersley *v.* Knott
Doe *d.* Brammall *v.* Collings
Westrop *v.* Solomon
Fagan *v.* Harrison
Baniven Iron Co. *v.* Barnett
Edwards *v.* Jevons
Johnson *v.* Few

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Gibbons *v.* Vouillen
Greene *v.* Reece
Wood *v.* Governor & Co. of Copper-mines in England
Porcher *v.* Gardner
Bell *v.* Bidgood
Johns *v.* Dickinson
Doe *d.* Camon *v.* Rucastle

Wednesday, April 25.
Bell *v.* Cory
Cuthbert *v.* Walker
Jones *v.* How
Sterry *v.* Clifton
Reid *v.* Simpson
Dakin *v.* Brown
Gooch *v.* Johnson

CUR. ADV. VULT.

Morgan *v.* Earl of Abergavenny
Phillips *v.* Lewis
Newborough *v.* Schroder
Nickels *v.* Ross
Same *v.* Same
Garrard *v.* Tuck
Fitzgerald *v.* Fitzgerald
Hopwood *v.* Thorn
Russell *v.* Briant
Beard *v.* Egerton
Croll *v.* Edge
Wright *v.* Colls

APPEAL FROM REVISING BARRISTERS.

No.	*County.*	*Appellant.*	*Respondent.*
7...	Worcestershire.....	Palmer..	Allen

Court of Exchequer.

SITTINGS—EASTER TERM, 1849.

		Banc.	*Nisi Prius.*
Monday, *April*	16	Peremptory Paper	.....
Tuesday.....	17	.....	Midd. 1st Sitting
Wednesday....	18	.....	.....
Thursday.....	19	.....	.....
Friday.....	20	Special Cases	.....
Saturday.....	21	Crown Cases	.....
Monday.....	23	Demurrers	.....
Tuesday.....	24	Errors	.....
Wednesday....	25	Special Cases	London 1st Sitting
Thursday.....	26	.....	Midd. 2nd Sitting
Friday.....	27	Demurrers	.....
Saturday	28	.....	.....
Monday.....	30	Special Cases	.....
Tuesday .. *May*	1	.....	.....
Wednesday....	2	Demurrers	London 2nd Sitting
Thursday.....	3	.....	Midd. 3rd Sitting
Friday	4	.....	.....
Saturday.....	5	.....	.....
Monday.....	7	.....	.....
Tuesday.....	8	.....	.....

NEW TRIALS.

FOR JUDGMENT.

Moved Mich. Term, 1848.

Stafford—Sharrod *v.* London and North-western Railway Co.
York—Reedie *v.* Same
,, Hobbitt *v.* Same

FOR ARGUMENT.

Moved Easter Term, 1848.

Midd.—Arnold *v.* Ryan
,, Glen *v.* Dungay

Moved Trin. Term, 1848.

Midd.—Gayland *v.* Morris
,, Greville *v.* De Rutzen
Lond.—Campbell *v.* Pepper

Moved Mich. Term, 1848.

Midd.—Boosey *v.* Purday
,, Same *v.* Same
,, Macgregor *v.* Keily
,, Clayton *v.* Clayton
,, Faithfull *v.* Proctor
,, Brown *v.* Scace
,, Edwards *v.* Same
,, Grew *v.* Hill
,, Treheine *v.* Biers
Lond.—Miller *v.* Atlee
,, Mackintosh *v.* Mitcheson
Lond.—Gome *v.* Braithwaite
Bristol—Gullick *v.* Hamley
,, Cross *v.* Dando
York—Brooke *v.* Faviell
,, Grayburn *v.* Horberry
,, Same *v.* Everett
Newcastle—Ness *v.* Angas
,, Same *v.* Gouthwaite
,, Ness *v.* Armstrong
,, Same *v.* Richardson
,, Same *v.* Glaholm
,, Master Pilots &c. of Newcastle *v.* Hammond
Carlisle—Aglionby *v.* Williams
Lancast.—Williamson *v.* Heap
Liv'pool—Clarke *v.* Holford
,, Turner *v.* Dean
,, Cope *v.* Thames Haven Dock and Railway Co.
,, Farrell *v.* Harrison

Moved after the 4th Day of Mich. Term, 1848.

Midd.—Bull *v.* Rankin
,, Mercy *v.* Galot
,, Horn *v.* Thornbrough
Lond.—Black *v.* Humphrey

Moved Hil. Term, 1849.

Midd.—Homersham *v.* Wolverhampton Waterworks Co.
,, Wheeler *v.* Stiles
,, Manning *v.* Wilkin
Lond.—Thompson *v.* Bailey
,, Nicholson *v.* Rayne
,, Richardson *v.* Barnes
,, Wakley *v.* Healey

Moved after the 4th Day of Hilary Term, 1849.

Midd.—Waller *v.* Poocock
,, Bussey *v.* Elleston
,, Foley *v.* Snell
,, David *v.* James
,, Hawkins *v.* Harwood
,, Brook *v.* Rawll
,, Warden *v.* Burnam
Lond.—Dalton *v.* Brush

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before Motions.

Smith *v.* Stuart (rule nisi January 27)

SPECIAL PAPER.

SPECIAL CASES.

FOR JUDGMENT.

Wood & ors. *v.* Wand & ors. (heard Dec. 1, 1848)
Harcourt & Wife *v.* Wyman
Same *v.* Same
Same *v.* Same
Doe *d.* Harcourt *v.* Wyman (heard Jan. 26, 1849)

FOR ARGUMENT.

In re Willis
Doe *d.* Earl of Yarborough *v.* Newmarch
Hollingworth *v.* Palmer
Lowther *v.* Benton
Rigby *v.* Great Western Railway Co.
Bird *v.* Brown
Doe *d.* Clift *v.* Birkhead
Spooner *v.* Payne
Ker *v.* Pickering

DEMURRERS.

FOR JUDGMENT.

Jones *v.* Morris (heard May 31, 1848)
Chauntler *v.* Robinson (heard Jan. 26, 1849)
Ness *v.* Bertram (heard Jan. 29, 1849)
Leeds and Thirsk Railway Co. *v.* Fearaley (heard Feb. 20, 1849)

FOR ARGUMENT.

Southby *v.* Bridgman (stayed by injunction)
Sibthorp *v.* Brunel
Dixon *v.* Dixon

London Gazettes.

TUESDAY, APRIL 10.

BANKRUPTS.

WILLIAM ASH, Henry-st., Hampstead-road, Middlesex, plumber, dealer and chapman, April 17 at 12, and May 22 at half-past 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Strutt, 18, Buckingham-street, Strand.—Fiat dated April 4.

THOMAS RADFORD, Stanford-le-Hope, Essex, apothecary, dealer and chapman, April 19 at 11, and May 24 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Johnston, 100, Chancery-lane.—Fiat dated April 9.

THOMAS HILLS, Hawkwell, Essex, baker, grocer, dealer and chapman, April 20 at half-past 2, and May 22 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Piggot, Chelmsford, Essex; Wilde & Co., College-hill, City.—Fiat dated April 2.

RICHARD LAMPRELL, Pratt-st., Camden-town, Middlesex, builder, dealer and chapman, April 20 at 2, and May 17 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Taylor, South-square, Gray's-inn.—Fiat dated April 4.

THOMAS JAMES FEHR, Birmingham, dealer in bonnets, furrier, dealer and chapman, April 21 and May 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Bartleet, Birmingham; Chaplin, Gray's-inn, London.—Fiat dated April 2.

THOMAS BECKETT WADE, Dudley, Worcestershire, grocer, dealer and chapman, April 18 and May 15 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Wright, Birmingham.—Fiat dated April 3.

JOHN FAIRCLOUGH, Leeds, Yorkshire, cloth merchant, dealer and chapman, April 20 and May 18 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Prest, Leeds; Capes & Stuart, Gray's-inn, London.—Fiat dated March 28.

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JOHN HICKSON, Greengates, Eccleshill, Bradford, Yorkshire, apothecary, April 20 and May 18 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Dawson, Bradford; Harle & Clarke, Leeds; Parker & Co., Bedford-row, London.—Fiat dated April 2.

JOSEPH ARMITAGE, JAMES ARMITAGE, WILLIAM HENRY ARMITAGE, and CHARLES ARMITAGE, Marsden, Almonbury, Yorkshire, woollen-cloth manufacturers, dealers and chapmen, (carrying on business at Marsden aforesaid, as woollen-cloth manufacturers, under the style or firm of Joseph Armitage & Sons), April 30 and May 14 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Floyd, Huddersfield; Sudlow & Co., Chancery-lane, London.—Fiat dated March 26.

ROBERT MURRAY, Liverpool, woollen-draper, dealer and chapman, April 18 and May 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Smith, Liverpool; Mitton & Co., Southampton-buildings, London.—Fiat dated March 26.

CHRISTOPHER HALL, Liverpool, corn factor, dealer and chapman, May 11 and June 1 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Lowndes & Co., Liverpool; Messrs. Russell, Martin's-lane, Cannon-st., London.—Fiat dated March 29.

JOHN PECKMORE, Liverpool, baker and flour dealer, April 24 and May 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Dodge, Liverpool; Bridger & Collins, King William-st., London.—Fiat dated April 4.

MEETINGS.

Wm. Waterman, Brenchley, Kent, farmer, May 2 at 11, Court of Bankruptcy, London, last ex.—*John Sam. Story*, St. Alban's, Hertfordshire, banker, May 3 at 11, Court of Bankruptcy, London, aud. ac.—*William Childerhouse* the younger, Montpelier-place, Montpelier-square, Brompton, Middlesex, builder, May 2 at 11, Court of Bankruptcy, London, aud. ac.—*Elizabeth Widdowson*, Dover-street, Piccadilly, Middlesex, lodging-house keeper, May 3 at 11, Court of Bankruptcy, London, aud. ac.—*Sam. Carroll*, Mincing-lane, London, broker, May 3 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Richard Foxley*, Herne, Kent, brick maker, May 3 at 11, Court of Bankruptcy, London, aud. ac.—*James Buckland*, Greenwich, Kent, licensed victualler, May 3 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Neaves*, Cole's-terrace, Islington, Middlesex, plumber, May 3 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Frederick Cox*, Liverpool, straw plait dealer, *May 3 at 12*, Court of Bankruptcy, London, aud. ac.—*Wm. M'Graw*, Skinner-st., Bishopsgate-st. Without, London, cabinet manufacturer, May 1 at 12, Court of Bankruptcy, London, aud. ac.—*Ed. Burley Clayton*, Argyle-place, Regent-st., Middlesex, dentist, May 2 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Joseph Oliver Lyon*, Chatteris, Isle of Ely, Cambridgeshire, farmer, May 3 at 1, Court of Bankruptcy, London, aud. ac.—*John Cockcroft* the elder and *Abraham Fletcher* the younger, Cheetham, Manchester, stuff merchants, May 2 at 12, District Court of Bankruptcy, Manchester, aud. ac. sep. est. of *A. Fletcher* the younger.—*Joshua Lee*, Manchester, paper hanger, May 1 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 2 at 12, div.—*Zebulun Leigh*, Manchester, coffee merchant, May 3 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Thos. R. Jenks*, Birmingham, jeweller, May 1 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Marsh Adams* and *Charles Warren*, Shrewsbury, and Market Drayton, Shropshire, bankers, May 5 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; May 19 at 12, div.—*Richard W. Gardiner*, Hereford, horse dealer, May 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; May 5 at 12, fin. div.—*George L. Betty*, Taunton, Somersetshire, baker, May 2 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 3 at 1, div.—*Henry Pinhey*, Plymouth, Devonshire, grocer, May 2 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 3 at 1, div.—*Richard Matthews*, East Reach, Taunton, Somersetshire, white bread baker, May 2 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 3 at 1, div.—*Wm. John Cormack*, New Cross, Deptford, Surrey, seedsman, May 3 at 12, Court of Bankruptcy, London, fin. div.—*John Goble* and *Geo. Goble*, Kentish-buildings, Southwark, Surrey, hop factors, May 3 at 1, Court of Bankruptcy, London, fin. div. sep. est. of *George Goble*.—*Thos. Richmond*, Peterborough, Northamptonshire, builder, May 3 at 12, Court of Bankruptcy, London, fin. div.—*Thos. Tye* and *Matthias Pearse*, Little Eastcheap, London, provision merchants, May 3 at 1, Court of Bankruptcy, London, div.—*Charles O. Robson*, Finsbury-st., Finsbury-square, Middlesex, plasterer, May 3 at half-past 12, Court of Bankruptcy, London, div.—*Thos. T. Cattley*, Cousin-lane, Upper Thames-st., London, and Vimiera, Wandsworth-road, Surrey, colour merchant, May 3 at 1, Court of Bankruptcy, London, fin. div.—*Chas. L. Jones* and *Robert Cole*, Oxford-street, Middlesex, cheesemongers, May 3 at half-past 12, Court of Bankruptcy, London, fin. div.—*John A. Morse*, Bicester, Oxfordshire, currier, May 2 at 12, Court of Bankruptcy, London, div.—*Henry Lark* and *Joseph Woodhead*, Essex-street, Strand, Middlesex, navy agents, May 2 at half-past 12, Court of Bankruptcy, London, div.—*William Sugden*, Thomas-place, Gravel-lane, Southwark, Surrey, stonemason, May 2 at half-past 11, Court of Bankruptcy, London, div.—*Richard T. Milbanke*, Burwood-place, Edgeware-road, Middlesex, surgeon, May 2 at 11, Court of Bankruptcy, London, div.—*Henry Hughes*, Dover, Kent, linen draper, May 2 at 2, Court of Bankruptcy, London, div.—*Hen. Hawgood*, Newington-causeway, Surrey, stationer, May 3 at half-past 1, Court of Bankruptcy, London, div.—*James B. Cooper*, Drury-lane, Middlesex, ironfounder, May 3 at 11, Court of Bankruptcy, London, div.—*George Heather*, St. Ann's-place, Limehouse, and *Edward Argyles*, Brunswick-terrace, Commercial-road East, Middlesex, mahogany merchants, May 3 at 11, Court of Bankruptcy, London, div. sep. est. of *Edward Argyles*.—*John Jordan*, *James White*, and *John Lewis Aldridge*, Coventry, Warwickshire, brewers, May 1 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div. sep. est. of *James White*.—*Thos. Edwards*, Burslem, Staffordshire, manufacturer of earthenware, May 1 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 8 at 10, fin. div.—*James Greaves*, Stoke-upon-Trent, Staffordshire, ale and porter merchant, May 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*John Morgan* the elder and *John Morgan* the younger, Hereford, and Glasbury, Radnorshire, woolstaplers, May 1 at 10, District Court of Bankruptcy, Birmingham, div.—*Wm. Smith*, Uttoxeter, Staffordshire, mercer, May 8 at 10, District Court of Bankruptcy, Birmingham, fin. div.—*John Ellis*, Preston, Lancashire, cotton spinner, May 1 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Wilcock, Eagle Coffee-house, Houndsditch, London, cutler, May 4 at 1, Court of Bankruptcy, London.—*Wm. M'Graw*, Skinner-street, Bishopsgate-street Without, London, cabinet manufacturer, May 1 at 12, Court of Bankruptcy, London.—*James Edward Clarke*, Bury St. Edmund's, Suffolk, clother, May 1 at 1, Court of Bankruptcy, London.—*George C. Temperley*, Kingsland-crescent, Middlesex, coal merchant, May 2 at 11, Court of Bankruptcy, London.—*Edward B. Clayton*, Argyle-place, Regent-street, Middlesex, dentist, May 2 at half-past 11, Court of Bankruptcy, London.—*James Crisp* the younger, Beccles, Suffolk, corn merchant, May 3 at half-past 2, Court of Bankruptcy, London.—*Wm. Stothert*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturer, May 1 at 12, District Court of Bankruptcy, Bristol.—*Chas. Maddox* the elder, Llangwin, Monmouthshire, timber dealer, May 3 at 11, District Court of Bankruptcy, Bristol.—*Joseph R. Price*, Aberdare Iron Works, Glamorganshire, druggist, May 3 at 11, District Court of Bankruptcy, Bristol.—*James Scott*, Manchester, shoe dealer, May 2 at 12, District Court of Bankruptcy, Manchester.—*Henry Husband*, Salford, Lancashire, joiner, May 1 at 12, District Court of Bankruptcy, Manchester.—*James Gill*, Litherland, near Liverpool, coal merchant, May 1 at 11, District Court of Bankruptcy, Liverpool.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 1.

Francis O'Neill, Liverpool, corn merchant.—*G. J. Sharp*, Duke-street, Tooley-street, Southwark, Surrey, tailor.—*F. Chaplin* and *Wm. H. Chaplin*, Bishop's Stortford, Hertfordshire, tanners.—*Thomas Butterworth*, Greenbooth Mills, near Rochdale, Lancashire, woollen manufacturer.—*Christopher G.*

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Middleton, Manchester, soap munufacturer.—*Fras. Clowes*, Norwich, auctioneer.

SCOTCH SEQUESTRATIONS.

Robt. M. Connal, Alloa, brewer.—*Andrew Mercer* the younger, Leith, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Tink, Wenhaston, Suffolk, wheelwright, April 25 at 2, County Court of Suffolk, at Halesworth.—*William Dean*, Worthing, Sussex, wheelwright, April 16 at 11, County Court of Sussex, at Worthing.—*John Thompson Smith*, Old Cross, Hertfordshire, not following any profession, May 3 at 3, County Court of Norfolk, at Holt.—*John Littlewood*, Birstal, Yorkshire, joiner, April 19 at 10, County Court of Yorkshire, at Dewsbury.—*James Whiskerd*, Soham, Cambridgeshire, plumber, April 21 at 11, County Court of Cambridgeshire, at Soham.—*Thomas Cox*, Abingdon, Berkshire, eating-house keeper, April 17 at half-past 10, County Court of Berkshire, at Abingdon.—*Wm. Clements*, Soham, Cambridgeshire, shoemaker, April 21 at 11, County Court of Cambridgeshire, at Soham,—*Thomas Cansfield*, Undercliffe, Bradford, Yorkshire, innkeeper, April 28 at 11, County Court of Yorkshire, at Bradford.—*Joseph Whitwham*, Golcar, Huddersfield, Yorkshire, clothier, April 26 at 10, County Court of Yorkshire, at Huddersfield.—*James Firth*, Golcar, Huddersfield, Yorkshire, clothier, April 26 at 10, County Court of Yorkshire, at Huddersfield.—*Samuel John Jay*, Bury St. Edmund's, Suffolk, attorney at law, April 30 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Wm. Thurston* the younger, Southelmham, Suffolk, veterinary surgeon, April 24 at 9, County Court of Norfolk, at Harleston.—*Geo. Cox*, Lowestoft, Suffolk, fish merchant, April 25 at 9, County Court of Suffolk, at Lowestoft.—*Wm. Thomas Challis*, Bury St. Edmund's, Suffolk, out of business, April 30 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Edmund Taylor*, Milnsbridge, Linthwaite, Almondbury, Yorkshire, spinner, April 26 at 10, County Court of Yorkshire, at Huddersfield.—*Chas. Bradley*, Huddersfield, Yorkshire, innkeeper, April 26 at 10, County Court of Yorkshire, at Huddersfield.—*Wm. Cocks*, Southwold, Suffolk, baker, April 25 at 2, County Court of Suffolk, at Halesworth.—*Thomas B. Ellis*, Burwash, Sussex, farmer, April 19 at 10, County Court of Kent, at Tonbridge Wells.—*Joseph Hall*, Chester, baker, April 16 at 10, County Court of Cheshire, at Chester.—*John Baxter*, Stamford-heath, Christleton, near Cheshire, farmer, April 16 at 10, County Court of Cheshire, at Chester.

The following Persons, who, on their Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 24 *at* 11, *before Mr. Commissioner* HARRIS.

George Rablah, Prince's-square, Lambeth, Surrey, clerk in the General Post-office, London.—*Francis Festum*, Elizabeth-street, Walworth, Surrey, flute manufacturer.—*Michael Magnier*, Great Dover-road, Southwark, Surrey, clerk in the General Post-office.—*W. G. Mason*, King-street, Camden-town, Middlesex, engraver on wood.

April 25 *at* 11, *before the* CHIEF COMMISSIONER.

Albert Lowe, Copthall-court, Throgmorton-street, London, out of business.—*Edwin Barnes*, James's-place, Thomas-street, Camberwell New-road, Surrey, baker.—*George Charlton* the younger, Byron's-place, St. James's-street, Old Kent-road, Surrey, out of employ.—*W. Cookson*, Tonbridge, Kent, clerk in the employ of the South-eastern Railway Company.

April 25 *at* 10, *before Mr. Commissioner* LAW.

Thomas Robert Dunn, Spring-street, Dorset-street, Baker-street, Portman-square, Middlesex, butcher.—*Jas. R. Smith*, Prince's-street, Prince's-square, St. George's in the East, Middlesex, rigger.—*Joseph Shephard*, Villa-street, Walworth-common, Surrey, dealer in old building materials.—*Robert Willington*, Prince's-street, Fitzroy-square, Middlesex, bookbinder.

Saturday, April 7.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Jas. Pearce, Turnford, Cheshunt, Hertfordshire, fruiterer, No. 59,759 T.; Louis Kyezor, assignee.—*Thomas Holmes*, Pitchcombe, Gloucestershire, gardener, No. 70,059 C.; Saml. Tanner, assignee.—*C. G. O'Brien*, Stringston, near Stowey, Somersetshire, farmer, No. 70,471 C.; W. Cogan, assignee.

Saturday, April 7.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

William Austin, Gloster-terrace, Paddington, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Edw. C. Bessell*, Newman-st., Oxford-st., dancing master: in the Debtors Prison for London and Middlesex.—*Wm. H. J. L. Taylor*, Rochester, Kent, out of business: in the Debtors Prison for London and Middlesex.—*John H. Crutch*, St. John-street-road, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Hermann N. Mollwo*, Tottenham, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*George S. Simpson*, Trafalgar-square, Middlesex, solicitor: in the Debtors Prison for London and Middlesex.—*Thos. W. Plumb*, Back-road, Kingsland, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John Powell* the younger, Addington-square, Camberwell, Surrey, builder: in the Gaol of Horsemonger-lane.—*Simon Anstey*, Newington-causeway, Surrey, draper: in the Queen's Prison.—*Jeremiah Egerton*, Cowley-place, Cowley-road, North Brixton, Surrey, daguerreotype artist: in the Queen's Prison.—*Christian Fred. Stadtmer*, Crozier-st., New Palace-road, Lambeth, Surrey, commission agent: in the Queen's Prison.—*Job Barker*, Hamilton-place, High-st., Deptford, Kent, assistant to a straw hat manufacturer: in the Queen's Prison.—*Thomas Fogg*, Greek-street, Soho, Middlesex, licensed victualler: in the Queen's Prison.—*Chas. Lister*, Norfolk-road, St. John's-wood, Middlesex, not in any business: in the Queen's Prison.—*George Taylor*, Foley-st., Portland-place, Middlesex, retailer of beer: in the Debtors Prison for London and Middlesex.—*Robert Wyatt Grainge*, Uxbridge, Middlesex, labourer: in the Debtors Prison for London and Middlesex.—*Henry Godfrey*, Gravesend, Kent, carpenter: in the Debtors Prison for London and Middlesex.—*John B. North*, Blackmoor-st., Drury-lane, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Sam. Roberts*, Ashford-st., Hoxton New-town, Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*Thos. Barnet*, Streatham-place, Brixton-hill, Brixton, Surrey, baker: in the Gaol of Horsemonger-lane.—*W. C. Norman*, Devonshire-st., Kennington-lane, Surrey, dairyman: in the Queen's Prison.—*Sam. Vines*, Terrace, Kennington-common, Kennington, Surrey, corn factor: in the Queen's Prison.—*J. Cotton*, Salford, Lancashire, traveller to a spindle and fly maker: in the Gaol of Lancaster.—*James Coe*, Denton, Lancashire, hatter: in the Gaol of Lancaster.—*Jos. W. Gore*, Manchester, furrier: in the Gaol of Lancaster.—*George Mercer*, Manchester, fish dealer: in the Gaol of Lancaster.—*A. Morris*, Ilkeston, Derbyshire, butcher: in the Gaol of Radford Peverel.—*Wm. Rees*, Swansea, Glamorganshire, bookseller: in the Gaol of Swansea.—*Robert Carthy*, Stafford, joiner: in the Gaol of Stafford.—*William Clapham*, Goff's Oak, Cheshunt, Hertfordshire, farmer's labourer: in the Gaol of Hertford.—*Benj. Lockwood*, Sheffield, Yorkshire, grocer: in the Gaol of York.—*William Phillips*, Hawkchurch, near Lyme Regis, Dorsetshire, dairyman: in the Gaol of Dorchester.—*Alfred Spicer*, Folkestone, Kent, mariner: in the Gaol of Dover.—*J. Wortes*, Bilston, Staffordshire, in no business: in the Gaol of Coventry.—*R. Lund*, Eckington, Derbyshire, horsebreaker: in the Gaol of Radford Peverel.—*John Blackburn*, Blackburn, Lancashire, grocer: in the Gaol of Lancaster.—*Wm. Chadburn*, Blackburn, Lancashire, greengrocer: in the Gaol of Lancaster.—*James Dawes*, Blackburn, Lancashire, grocer: in the Gaol of Lancaster.—*James Farmer*, Birmingham, huckster: in the Gaol of Coventry.—*Thomas Hardy Greeves*, New Radford, Nottinghamshire, braid manufacturer: in the Gaol of Radford Peverel.—*John Platt*, Blackburn, Lancashire, out of business: in the Gaol of Lancaster.—*Thos. Stockdale*, Sunderland near the Sea, Durham, tailor: in the Gaol of Durham.—*Jas.*

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Copley, Ashton-under-Lyne, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*James Raby*, Little Bolton, Bolton-le-Moors, Lancashire, licensed victualler: in the Gaol of Lancaster.

(On Creditors' Petition).

James Carter, Bow-lane-cottage, Bow-lane, Poplar, Middlesex, mariner: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 25 *at* 10, *before Mr. Commissioner* LAW.

Joseph Ainsworth, Guildford-place, Bagnigge-wells-road, Clerkenwell, Middlesex, baker.—*W. Neely* the elder, Church-street, Westminster, and Great Surrey-street, Blackfriars-road, Surrey, out of business.—*Joseph Park*, Ivy-cottage, Hornsey-road, Islington, Middlesex, out of business.—*Thos. Hickson*, South-row, New-road, St. Pancras, Middlesex, commission agent. — *Sarah Ann Mountford*, widow, Wharf-road, Pritchard's-road, Regent's-canal, Hackney, Middlesex, boiler maker.

April 26 *at* 10, *before Mr. Commissioner* LAW.

Wm. Hopkins, Freeman's-lane, Horsleydown, Southwark, Surrey, foreman to granary keepers.—*Thos. Clift* the younger, Gracechurch-st., London, baker.

April 26 *at* 11, *before Mr. Commissioner* PHILLIPS.

Francis Claridge, Brook-street, Bond-st., and Chepstow-villas, Westbourne-grove, Bayswater, Middlesex, wine merchant.—*Thos. Lewis*, Victoria-place, Old Kent-road, Surrey, furniture dealer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, *April* 23 *at* 2.

Henry Jas. Sylvester, Oxford, publican.

At the County Court of Kent, at DOVER, *April* 26 *at* 10.

Thomas V. Cavell, Deal, bookseller.

At the County Court of Yorkshire, at SHEFFIELD, *May* 2 *at* 10.

Laurence Keenan, Sheffield, brewer's traveller.

At the County Court of Sussex, at LEWES, *April* 24.

Henry Nicholls, Brighton, shoemaker.

At the County Court of Glamorganshire, at CARDIFF, *April* 21.

William John, Penllwyn-farm, Pentyrch, labourer.

At the County Court of Denbighshire, at RUTHIN, *April* 27 *at* 11.

Margaret Garland, Glangeirw, Llangwm, farmer.—*Wm. P. L. Garland*, Glangeirw, Llangwm, farm labourer.

At the County Court of Essex, at CHELMSFORD, *April* 26.

Wm. Parsons the younger, Mistley, plumber.

At the County Court of Shropshire, at SHREWSBURY, *April* 24 *at* 10.

Rich. T. Hinton, Much Wenlock, clerk to the trustees of the Wenlock and Church Stretton Turnpike-road.

At the County Court of Brecknockshire, at BRECKNOCK, *April* 27 *at* 10.

Wm. Jones, Llyswen, out of business.

At the County Court of Warwickshire, at COVENTRY, *April* 25.

James Farmer, Birmingham, out of business.—*J. Worton*, Bilston, Staffordshire, shoemaker.

At the County Court of Hertfordshire, at HERTFORD, *April* 25.

Frederick Dorrington, Ware, carpenter.—*Joseph Tween*, Great Wymondley, land surveyor.—*W. Clapham*, Cheshunt, farmer's labourer.

At the County Court of Kent, at DOVER, *April* 26 *at* 10.

Alfred Spicer, Folkestone, mariner.

At the County Court of Cambridgeshire, at CAMBRIDGE, *April* 23 *at* 10.

Peter Smith, Whittlesey, Isle of Ely, wheelwright.

FRIDAY, APRIL 13.

BANKRUPTS.

JAMES FRASER, Brighton, Sussex, draper, dealer and chapman, April 20 at 2, and May 25 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Eversheds, Brighton; Sowton, Great James's-street, Bedford-row, London. —Fiat dated April 9.

WILLIAM BEWICK and GEORGE BURROWS, Dereham, Norfolk, railway contractors, builders, and brick makers, April 20 at 2, and May 25 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Bell, 36, Bedford-row, London.—Fiat dated April 4.

GEORGE ROW, Kingsland-road, Middlesex, and Gravesend, Kent, boot and shoe maker and currier, April 25 at 11, and May 19 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sol. Lloyd, Milk-street, Cheapside.—Fiat dated April 9.

THOMAS CHARLES CLARKSON, Bennett-street, Stamford-street, Blackfriars-road, Surrey, leather merchant, April 23 and May 21 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Lloyd, Milk-st., Cheapside.—Fiat dated April 3.

RICHARD WILLIAMS, Bristol, undertaker, dealer and chapman, April 27 and May 25 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Ayre, jun., Bristol; Boykett, Chancery-lane, London. —Fiat dated April 3.

JOHN ADAMS, Staplemead, Laverton, Somersetshire, fuller, dealer and chapman, April 26 and May 24 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Miller, Frome; Frampton, Gray's-inn, London. —Fiat dated April 4.

GEORGE COWELL, Birmingham, news and advertising agent, dealer and chapman, May 1 and 29 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Fiat dated April 9.

JOHN GROSVENOR, Wolverhampton, Staffordshire, beer seller, dealer and chapman, April 19 and May 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Corser & Underhill, Wolverhampton; Motteram & Co., Birmingham.—Fiat dated March 31.

JOHN MEREDITH, Tattenhall, Cheshire, maltster, May 11 and June 1 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Hamberston & Co., Chester; Philpot, Montague-street, Russell-square, London.—Fiat dated March 27.

RICHARD MILNER, Darlington, Durham, timber merchant, dealer and chapman, April 25 at 11, and May 23 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hoyle, Newcastle-upon-Tyne; Marten & Co., Mincing-lane, London.—Fiat dated Feb. 27.

MEETINGS.

Thomas Bishton, Kilsale, and Dawley, Shropshire, ironmaster, May 1 at 11, District Court of Bankruptcy, Birmingham, pr. d.—*T. L. Walker*, *J. M. Watherr*, and *Edw. Wm. Kelsall*, Nuneaton, Warwickshire, brick makers, May 1 at half-past 10, District Court of Bankruptcy, Birmingham, pr. d.—*Jas. Whitehead*, Hanley, Staffordshire, merchant, May 3 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*John S. Story*, St. Alban's, Hertfordshire, banker, May 3 at 11, Court of Bankruptcy, London, last ex.—*Wm. Blacknell*, Plumstead, Kent, baker, April 26 at 11, Court of Bankruptcy, London, last ex.—*James Pegram*, Grange-villas, Queen's-road, Dalston, Middlesex, builder, May 2 at 12, Court of Bankruptcy, London, last ex.—*John Clarke* and *Edward Dearden*, Bury, and Radcliffe, Lancashire, grocers, April 30 at 12, District Court of Bankruptcy, Manchester, last ex.—*Michael Cowles*, Nine Elms, Vauxhall, and York-road, Lambeth, Surrey, livery-stable keeper, May 7 at 11, Court of Bankruptcy, London, aud. ac.—*James Newman*, Ventnor, Isle of Wight, Southampton, builder, May 5 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. H. Garrood*, Thornham Magna, Suffolk, grocer and draper, May 5 at 11, Court of Bankruptcy, London, aud. ac. — *Alexander Haig*, Smith-street, Jubilee-place, Stepney, and Essex-street, Cambridge-road, Mile-end, Middlesex, engineer, May 5 at 11, Court of Bankruptcy, London, aud. ac. — *Samuel Henry Whittell*, Vine-street, Regent-street, Piccadilly, Middlesex, tailor, May 5 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Rob. Hartley*, Ventnor, Isle of Wight, Southampton,

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hotel keeper, May 5 at 11, Court of Bankruptcy, London, aud. ac.—*Jos. Stubbing*, Northumberland-place, Commercial-road East, Middlesex, draper, May 10 at 2, Court of Bankruptcy, London, aud. ac.—*H. Roberts*, Pwllheli, Carnarvonshire, draper, May 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 24 at 11, div.—*Isaac Booth*, Crewe, Cheshire, linen and woollen draper, May 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 18 at 11, div.—*Thomas Hughes*, Liverpool, woollen draper, May 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 18 at 11, div.—*W. Shaw* the younger, Salford, Lancashire, printer, May 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 8 at 12, div.—*Thos. Towerson*, Todholes, Cumberland, miller, May 4 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 8 at 11, fin. div.—*N. Lax* and *Edward Lax*, Berry Edge, Durham, grocers, May 8 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Wm. B. Walters*, Embsay, Skipton, Yorkshire, cotton spinner, May 3 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 4 at 11, div.—*C. Jepson*, Malton, Yorkshire, innkeeper, May 3 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 4 at 11, div.—*Thomas Barraclough* and *John Evritt*, Southowram, Halifax, Yorkshire, woollen spinners, May 3 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 4 at 11, div.—*John Davison*, Dudley Hill, near Bradford, Yorkshire, woolstapler, May 7 at 12, District Court of Bankruptcy, Leeds, aud. ac.; May 8 at 12, div.—*Samuel Stead*, Gomersal, Yorkshire, woolstapler, May 7 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 8 at 11, div.—*Thos. Hardwick* and *Winter Hardwick*, Leeds, Yorkshire, auctioneers, May 7 at 1, District Court of Bankruptcy, Leeds, aud. ac.—*Jos. Jackson* the younger, Shelfield, Walsall, Staffordshire, miller, May 8 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John J. Palmer*, Birmingham, wholesale jeweller, May 5 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; May 12 at 12, div.—*Marius Merentie*, King William-st., London, merchant, May 4 at 12, Court of Bankruptcy, London, div.—*A. Anderson*, Philpot-lane, London, merchant, May 4 at 11, Court of Bankruptcy, London, fin. div.—*Nicholas Butler*, Portsea-place, Edgeware-road, Middlesex, wholesale stationer, May 4 at 12, Court of Bankruptcy, London, div.—*John Arnold*, Oxford-st., Westminster, Middlesex, linen draper, May 4 at 11, Court of Bankruptcy, London, div.—*Jas. Hayward* and *R. H. Moore*, Paternoster-row, London, booksellers, May 10 at 1, Court of Bankruptcy, London, div. sep. est. of *R. H. Moore*.—*Wm. East Holmes*, Lichfield, Staffordshire, coach maker, May 8 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 15 at 10, div.—*Chas. Bertram* and *Wm. Parkinson*, Newcastle-upon-Tyne, merchants, May 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div. sep. est. of *Chas. Bertram*.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Fred. B. Stacy, Albion-place, Blackfriar's-bridge, Surrey, law stationer, May 4 at 12, Court of Bankruptcy, London.—*Wm. Allen*, Watton, Norfolk, innkeeper, May 9 at half-past 11, Court of Bankruptcy, London.—*Henry P. Wills*, High Holborn, Middlesex, victualler, May 4 at 12, Court of Bankruptcy, London.—*Wm. Solomon*, Union-street, Southwark, Surrey, and High Holborn, Middlesex, tea dealer, May 4 at 11, Court of Bankruptcy, London.—*C. J. Spence*, Stockton-upon-Tees, Durham, timber merchant, May 4 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*J. R. Simpson*, Sheffield, Yorkshire, spring knife manufacturer, May 5 at 10, District Court of Bankruptcy, Sheffield.—*James Kyrke*, Glascoed, Denbighshire, lime burner, May 7 at 11, District Court of Bankruptcy, Liverpool.—*Augustus Mongredien*, Liverpool, merchant, May 4 at 11, District Court of Bankruptcy, Liverpool.—*Alfred J. Swift*, Liverpool, iron founder, May 7 at 11, District Court of Bankruptcy, Liverpool.—*John Hitchen*, Beeston, Cheshire, joiner, May 11 at 11, District Court of Bankruptcy, Liverpool.—*John E. Christian*, Liverpool, ship broker, May 10 at 11, District Court of Bankruptcy, Liverpool.—*I. Booth*, Crewe, Cheshire, linen draper, May 11 at 11, District Court of Bankruptcy, Liverpool.—*Henry Whitfield*, Stafford, builder, May 5 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 4.

James Parker, Notting-hill, Middlesex, coach proprietor.—*James Willis*, Osborne-st., Whitechapel, Middlesex, ale merchant.—*Thos. W. Hornsby*, Darlington, Durham, miller.—*Thomas Hill*, Redditch, Worcestershire, builder.—*Edward Perks*, Redditch and Stoke Mills, Worcestershire, needle manufacturer.—*Thos. Potts*, Birmingham, metallic tube manufacturer.—*Henry Cogswell*, Wotton-under-Edge, Gloucestershire, paper maker.

Fiat annulled.

Benjamin Moss, Hartlepool, Durham, draper.

Partnerships dissolved.

Wm. Manby and *John Hawksford*, Wolverhampton, Staffordshire, attornies and solicitors.—*John Richardson* and *Jos. Richardson*, Burton-upon-Trent, Staffordshire, attornies and solicitors.

Scotch Sequestration.

Robertson and *Rattray*, Dundee, grocers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward James, Walsall, Staffordshire, out of business, April 30 at 12, County Court of Staffordshire, at Walsall.—*Wm. Clewes* the elder, Swansea, Glamorganshire, licensed victualler, April 18 at 10, County Court of Glamorganshire, at Swansea.—*John Powe*, Swansea, Glamorganshire, confectioner, April 18 at 10, County Court of Glamorganshire, at Swansea.—*Isaac Taylor*, Dudley, Worcestershire, licensed brewer, April 27 at 3, County Court of Worcestershire, at Dudley.—*Paul Elwell*, Dudley, Worcestershire, miner, April 27 at 3, County Court of Worcestershire, at Dudley.—*Robert Morrell*, Malinslee, Dawley, Shropshire, pudler, April 21 at 10, County Court of Shropshire, at Madeley.—*Thomas Cole*, Flathouse, Portsea, Southampton, baker, May 1 at 10, County Court of Hampshire, at Portsmouth.—*John Bracegirdle*, Over, Cheshire, slater, May 1 at 10, County Court of Cheshire, at Northwich.—*John Pay*, Southsea, Portsea, Southampton, carpenter, May 1 at 10, County Court of Hampshire, at Portsmouth.—*Daniel Moore*, Grantchester, Cambridgeshire, blacksmith, April 23 at 10, County Court of Cambridgeshire, at Cambridge.—*James Spalding* the younger, Cambridge, out of business, April 23 at 10, County Court of Cambridgeshire, at Cambridge.—*John Willmott*, Cambridge, printer, April 23 at 10, County Court of Cambridgeshire, at Cambridge.—*W. Woods*, Cottenham, Cambridgeshire, in no business, April 23 at 10, County Court of Cambridgeshire, at Cambridge.—*Jas. Richmond*, Liverpool, cabinet maker, April 23 at 10, Liverpool District County Court, at Liverpool.—*Howell Davies*, Toxteth-park, near Liverpool, bookkeeper, April 23 at 10, Liverpool District County Court, at Liverpool.—*Henry E. Cooper*, Wolverhampton, Staffordshire, out of business, April 24 at 12, County Court of Staffordshire, at Wolverhampton.—*John Corns*, Wolverhampton, Staffordshire, in no business, April 24 at 12, County Court of Staffordshire, at Wolverhampton.—*Wm. Ridding*, Walsall, Staffordshire, spring hook manufacturer, April 30 at 12, County Court of Staffordshire, at Walsall.—*Thos. Lynex*, Walsall, Staffordshire, spring bar maker, April 30 at 12, County Court of Staffordshire, at Walsall.—*James Coleman*, Bristol, grocer, May 16 at 11, County Court of Gloucestershire, at Bristol.—*Rich. Ingram*, Cambridge, plumber, April 23 at 10, County Court of Cambridgeshire, at Cambridge.—*J. H. Chatterton*, Nottingham, shopman, May 3 at 9, County Court of Nottinghamshire, at Nottingham.—*Robert Smith*, East Dereham, Norfolk, veterinary surgeon, May 2 at 9, County Court of Norfolk, at East Dereham.—*Charles Ley* the younger, Nottingham, cooper, May 3 at 9, County Court of Nottinghamshire, at Nottingham.—*Thos. Brooker*, Speen, near Newbury, Berkshire, plumber, April 27 at 10, County Court of Berkshire, at Newbury.—*Samuel Bennett*, South Retford, Ordsall, Nottinghamshire, innkeeper, May 2 at 11, County Court of Nottinghamshire, at East Retford.—*Thos. Bolton*, Kibworth Harcourt, near Market Harborough, Leicestershire, gardener, May 17 at 10, County Court of Leicestershire, at Leicester.—*E. Cracknell*, Oxford, in no business, April 23 at 2, County Court of Oxfordshire, at Oxford.—*James Jones*, West Cowes, Hampshire,

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grocer, April 30 at 10, County Court of Hampshire, at Newport.—*Chas. Smith*, Stamford, Lincolnshire, baker, May 7 at 2, County Court of Lincolnshire, at Stamford.—*James H. T. Rogers*, Freshwater, Isle of Wight, cordwainer, April 30 at 10, County Court of Hampshire, at Newport.—*Geo. T. Fox*, Shepton Mallet, Somersetshire, tailor, May 1 at 10, County Court of Somersetshire, at Wells.—*T. Osborn*, West Cowes, Isle of Wight, cooper, April 30 at 10, County Court of Hampshire, at Newport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 28 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Shaw, Cowper-st., City-road, Middlesex, messenger to a chronometer manufacturer.—*Charles Tolfield*, Albion-road, Woolwich, Kent, greengrocer.—*Chas. Smith*, Pitt-st., Kensington, Middlesex, railway clerk.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 27 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Smith, King-st., Cambridge-road, Middlesex, out of business.—*Robert Gresham Barber*, Cleave-place, Larkhall-lane, Clapham, Surrey, plumber.—*Thos. Pocklington*, Bull's-place, Shepherdess-walk, City-road, Middlesex, out of business.—*Agnes M'Crae Dalrymple*, widow, Princes-st., Chelsea, Middlesex, never in any business.—*John Alexander*, Goodge-st., Tottenham-court-road, Middlesex, cheesemonger.

April 30 *at* 11, *before Mr. Commissioner* PHILLIPS.

Edward Corbet Bessell, Newman-st., Oxford-st., Middlesex, dancing master.—*Fred. Percy Helm*, Burlington-arcade, Middlesex, dentist.—*Wm. Williams Davies*, Willow-walk, Kentish-town, Middlesex, not in any business.—*Wm. Bradley*, Peel-terrace, Bethnal-green, Middlesex, out of business.—*Wm. Canavan*, Warren-street, Fitzroy-square, Middlesex, carver.—*John Robertson*, Lorn-road, Brixton-road, Surrey, editor of the Railway Record.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at PORTSMOUTH, *May* 1.

Wm. Carrell, Southsea, Portsea, builder.

At the County Court of Cambridgeshire, at CAMBRIDGE, *April* 23.

James Lucas, Haddenham, Isle of Ely, dealer in coals.—*Wm. Game* the younger, Cambridge, dealer in fruit.

At the County Court of Nottinghamshire, at NOTTINGHAM, *May* 3.

Abel Morris, Ilkeston, Derbyshire, butcher.—*Wm. Moore*, Sheffield, silver fruit knife cutler.—*Wm. Lund*, Eckington, Derbyshire, horsebreaker.—*Thomas Hardy Greaves*, New Radford, braid manufacturer.

At the County Court of Lancashire, at LANCASTER, *April* 27 *at* 11.

Ed. Williams, Everton, Liverpool, plumber.—*Wm. Roscoe Bardswell*, Liverpool, traveller to a brewer.—*James Butterworth*, Kenyon Fold, near Rochdale, farm labourer.—*Edward Roberts*, Droylsden, near Manchester, in no business.—*Geo. Robinson*, Lancaster, in no business.—*Joshua Boden*, Manchester, cotton waste dealer.—*John Martin*, Whalley, near Clitheroe, grocer.—*Jos. Hibbert*, Manchester, clogger.—*W. Maltwood*, Hulme, Manchester, trunk maker.—*Charles Dixon*, Manchester, iron dresser.—*John Elliott*, Hulme, Manchester, packer.—*John Firth*, Ardwick, Manchester, out of business.—*David Haworth*, Charlestown, Pendleton, Salford, provision dealer.—*John Blackburn*, Blackburn, out of business.—*John Platt*, Blackburn, out of business.—*James Raby*, Little Bolton, Bolton-le-Moors, licensed victualler.—*Wm. Chadburn*, Blackburn, greengrocer.—*James Dawes*, Whalley Banks, Blackburn, grocer.—*Robert White*, Oldham, out of business.—*Jas. Chalmers Carter*, Liverpool, chief officer of the steam-ship Vectis.—*Jas. Coe*, Denton, near Manchester, out of business.—*Patrick Cogley*, Liverpool, labourer.—*John Cotton*, Salford, traveller to a spindle and fly maker.—*John Glover*, Liverpool, out of business.—*Jos. Wm. Gore*, Strangeways, Manchester, out of business.—*W. Whittaker*, Clitheroe, assistant to a licensed victualler.—*Daniel Waters*, Liverpool, out of business.—*George Mercer*, Manchester, fish dealer.—*Richard Owens*, Liverpool, beer-house keeper.—*John Denerley*, Manchester, hatter.—*Ed. Brimelow*, Hulme, Manchester, out of business.

MEETING.

George White, Grosvenor-street West, Pimlico, and Marlborough-place, Greenwich, drysalter, April 25 at 11, Court-house, Portugal-st., Lincoln's-inn-fields, London, div.

INSOLVENT DEBTORS' DIVIDENDS.

James Munro Scott, Kingston-upon-Hull, ship painter, Jackson's, Hull: 1*s.* 1½*d.* in the pound.—*Sir Thomas Swymmer Mostyn Champneys*, Bart., deceased, May 16, Lawrance & Plews, Old Jewry-chambers, London, second and fin. div. of 11*d.* and 3-16ths of a penny in the pound.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Melville Portal, Esq., for the county of Southampton, (Northern Division), in the room of Sir William Heathcote, Bart., who has accepted the office of steward of her Majesty's Chiltern Hundreds.

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LONDON, APRIL 21, 1849.

The Court of Exchequer have decided, in the recent case of *Morley* v. *Attenborough*, (13 Jur. 282), that, as a general rule, there is no implied warranty of title by a vendor of goods. The facts which led to this judgment may be thus briefly stated:—The plaintiff purchased a harp, sold as an unredeemed pledge by the defendant, who was a pawnbroker. It afterwards appearing that the harp had been wrongfully pawned, the plaintiff restored it to the true owner and now brought an action on promises against the defendant, on an implied warranty of title.

The Court held that such action could not be maintained, and laid down the following rules:—That there is no such implied warranty by the vendor of goods, unless it arise from the nature of the trade in the course of which they are sold, e. g. goods sold by a shopkeeper, or unless there be a usage to that effect in the particular trade. That, in other cases, for the vendee to recover for defect of title, there must be an express warranty (and an affirmation of title is equivalent thereto) or fraud. The Court also intimated, that if the subject-matter was not in esse at the time of the contract, as in the case of a sale of goods to be manufactured, a warranty would, probably, be implied; and that although there was no warranty, either express or by implication, yet if it could be shewn to have been understood by the parties that the bargain should be rescinded in the event of absence of title in the seller, the price might be recovered, as upon a consideration that had failed.

The judgment proceeded partly on a supposed analogy between warranty of title and of quality, and partly on a few decisions and dicta bearing upon the subject. The analogy is deficient in some respects—as, for instance, a shopkeeper does not warrant the quality of goods sold by him, though, as we have seen, he is now to be considered as warranting the title. The principle also to be deduced from former decisions upon the subject of implied warranty of the quality of goods, or of title to land, appears to be, that, where a party has the means of exercising his own judgment on the matter, there is no implication of warranty,—cum adsunt testimonia rerum, quid opus est verbis,—but that it exists where he has not such means, or must rely upon the judgment of the other party. (See *Brown* v. *Edgington*, 2 Scott, N. R., 504, per Tindal, C. J.) Thus, on the sale of lands, the implied warranty of title is excluded, because the title-deeds go with the land, and the purchaser can, therefore, judge for himself of the title, and must see to it at his peril. (*Rowsel* v. *Vaughan*, Cro. Jac. 196). But a lessor impliedly warrants his title to demise because the lessee has not the title-deeds with the demised premises. A like distinction, founded on the same principle, prevails between the sale of a specific chattel in esse and of goods to be manufactured or sold in the bulk, where the vendee has no opportunity of examining them, as in the case of goods sold at sea, or of goods sold by sample. (See *Gray* v. *Cox*, 4 B. & C. 108; *Jones* v. *Bright*, 5 Bing. 533; *Brown* v. *Edgington*, 2 M. & G. 279). Applying this principle to the question before us, it would seem to determine that the maxim of caveat emptor should not be applicable to the title of a vendor of goods, (and see per Pollock, C. B., *Allen* v. *Hopkins*, 13 Mee. & W. 94), for the vendee has not the means of ascertaining, by an exercise of his own judgment, the title of the vendor; it is a subject within the knowledge of the vendor alone. The defect, if any, is not patent on the goods, nor are there title-deeds from which it may be dis-

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covered. To say that the vendee may inquire of the vendor as to his title, is only to say that he may have an express warranty, but does not shew that he has the power of exercising his own judgment on the subject, in the sense which renders him amenable to the maxim of caveat emptor. The argument that the vendee might easily have obtained an express warranty, and that, therefore, no warranty should be implied, would equally apply to all other cases where an implied warranty is held to arise; for it is difficult to conceive any case in which the vendee might not as easily require an express warranty of the quality of goods as he could an affirmation, i. e. an express warranty of title. The following are the authorities on which the judgment is ostensibly founded:—

Lord Coke, (Co. Litt. 102), treating of a voucher to warranty of title to land, says, "Note, that, by the civil law, every man is bound to warrant the thing that he selleth or conveyeth, albeit there be no express warranty; but the common law bindeth him not, unless there be a warranty, in deed or in law, for caveat emptor." If, by warranty "in law," he means a tacit or implied warranty, as the word is elsewhere defined by him, (Co. Litt. 365. a., 384. a.), then the passage amounts to this—that the common law binds to warranty only where such warranty is express or implied, and it has no weight on the question one way or the other. Whatever its meaning, the reason given is not very satisfactory; and it appears doubtful whether the words do not refer solely to the warranty of title to land. Lord Coke does not cite any authority for his opinion; and the cases subsequently placed on the margin by the annotators refer to warranty of *quality* only.

A note in 3 Rep. 22 a, asserts, there is no warranty of title in the sale of goods, and cites for this position the above passage from Co. Litt.

Noy's Maxims, c. 42: "If I take the horse of another man, and sell him, and the owner take him again, I may have an action of debt for the money; for the bargain was perfect by the delivery of the horse; and caveat emptor." Here, again, the reason given is a mere assertion; the law, as stated by Noy, seems to be intended for the special emolument of horse-stealers; but, putting that aside, it would not be law at the present day, if it was the understanding of the parties that the bargain should be rescinded in the event of the vendor not having title. It appears to us, that such an understanding might be implied, unless the contrary were expressed, for a man seldom intends to part with his money for nothing; but the Court of Exchequer seem to have considered that this intention should be proved at the trial.

Fitz. Nat. Brev. 94, (E), refers only to warranty of quality, e. g. soundness of horse and goodness of wine, "for the purchaser's eyes and his taste ought to be his judges in that case."

Sprigwell v. *Allen* (Al. 91) was an action on the case for *falsely and fraudulently* selling a horse to the plaintiff, ubi revera it was the horse of another; and the action was held not to be maintainable, because the plaintiff could not prove the scienter; "for the declaration must be, that he did it fraudulently, or knowing it not to be his own horse, for the defendant bought the horse in Smithfield, but not legally tolled." (And see S. C., in note to 2 East, 448). It will be observed that this was an action for deceit, and not for a breach of warranty.

Early v. *Garret* (9 B. & C. 932) was a case of sale of land, "with all faults and defects."

Williamson v. *Allison* (2 East, 448) was a case of express warranty of quality.

Desring v. *Farrington* (3 Keb. 304) was an action of covenant for a sum of money, which the defendant had received, and not paid over, according to his agreement.

As suggested by Baron Parke, the old rule of law may have been against a warranty of title on sales of goods, because such sales took place in markets and fairs where a bonâ fide purchaser without notice obtained a good title against every one except the Crown. Such a reason, however, is no longer applicable; and, according to the maxim, "Cessante ratione legis cessat et ipsa lex," the cases founded thereon at all events lose much of their weight.

It should also be observed that it does not appear to have been necessary, for the decision of this particular case, that the Court should have pronounced judgment on the general question, as the plaintiff, having purchased the harp as an unredeemed pledge, was affected by notice of a qualified title in the vendor.

A warranty of title in the vendor of goods was implied by the civil law, and is implied by the law of France, and generally in America. If such a doctrine be not a part of the law of England, it may be worthy of consideration whether it ought not to be adopted. It is, doubtless, the policy of our law not to interfere more than is necessary with matters of contract, nor to check the exercise of vigilance by the parties interested; but it is also part of its policy to protect the public from fraudulent sales and wrongful assumptions of title.

Reviews.

1. *A Treatise on the Law of Husband and Wife as respects Property, partly founded upon Roper's Treatise, and comprising Jacob's Notes and Additions thereto. By* JOHN EDWARD BRIGHT, *Esq., of the Inner Temple, Barrister at Law. In* 2 *Vols.* 8vo., *pp.* 1240. [*Benning.*]

2. *The Rights and Liabilities of Husband and Wife, comprising*—1. *The Contract of Marriage.* 2. *The Rules of Property thence arising.* 3. *The Wife's Debts, Equities, and Necessaries.* 4. *The Husband's Powers and Responsibilities.* 5. *Marriage Settlements.* 6. *Separate Use.* 7. *Deeds of Separation.* 8. *Custody of Infants.* 9. *Divorce.* 10. *Practice on Acknowledgment of Deeds by Married Women. By* JOHN FRASER MACQUEEN, *Esq., of Lincoln's Inn, Barrister at Law, Author of "The Appellate Jurisdiction of the House of Lords and Privy Council, and the Practice of Parliamentary Divorce."* 8vo., *pp.* 458. *Part II.* [*Sweet.*]

Mr. Bright says, that his work originated in a joint undertaking by Mr. Spence, Q. C., and himself to edit Roper's Treatise, which was abandoned in consequence of Mr. Spence's other engagements. Mr. Bright, after working for some time alone, found that he could not edit Roper satisfactorily, because much was obsolete, "and also from certain defects which appeared to exist in Mr. Roper's arrangement, as well as in his selection

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'of materials, much of which related to subjects not 'properly belonging to the law of husband and wife, 'and better discussed by other writers." Under these circumstances he has attempted "to construct a new 'treatise, for which Mr. Roper's book has been taken 'as the basis." "The work," it is added, "claims to 'have a value which no other treatise on the same 'subject can possess, inasmuch as it contains the whole 'of Mr. Jacob's notes and contributions to his edition 'of Roper, which have been either embodied in the 'text or inserted in the appendix." But half of this value has been sacrificed, as to the notes which are incorporated in the text, by the omission to distinguish Mr. Jacob's matter from Mr. Bright's, or either from Mr. Roper's. Mr. Jacob's name is a tower of strength, and most readers would be too glad to trust to it rather than to their own judgment, by which, of course, whatever may be Mr. Bright's own matter must be estimated.

We do not understand the theory of this proceeding. Either Mr. Roper's matter is good or it is bad. If it is bad, and badly selected and arranged, a good treatise cannot be "founded" on it. If it is good, it is not just to Mr. Roper's memory to use his work and put another name to the result; still less is it justifiable to appropriate Mr. Jacob's valuable notes without (in the majority of instances) any acknowledgment beyond the general one which we have quoted. Any faults in Mr. Roper's arrangement might have been corrected—any excrescences pruned—any obsolete matter omitted, without destroying the identity and name of his work. Of this fairer and more modest course Mr. Bright had an example in the excellent edition of Woodfall's Treatise on Landlord and Tenant, "remodelled and enlarged" by Messrs. Harrison & Wollaston. In its present form, the book looks like an attempt by the editor to found a reputation on the ruins of Mr. Roper's, which he decries while he uses it as an introduction for himself.

We do not think that Mr. Roper's book contains much irrelevant matter. The heads of the contents and the arrangement are as follows:—

Rights of husband in, and power over, his wife's real estates: 1. Curtesy. 2. Discontinuance, remitter, and forfeiture. 3. Leases. 4. Charges by husband on his wife's real estates. Rights of husband in, and power over, his wife's personal estate: 5. Wife's personal estate in possession, in action, and in autre droit. 6. Wife's personal estate in remainder or expectancy. 7. Wife's equity to a settlement. 8. Settlements before and after marriage, their validity against purchasers and creditors, &c. Rights of wife in her husband's real estates: 9. Dower. 10. Jointure. 11. Bar of dower otherwise than by jointure. 12. Wife's power over her husband's real estates (alienations by doweresses and jointresses). 13. Rights of wife in husband's personal estate. 14. Husband's covenants to leave or settle personal estate on wife, &c. 15. Effects of marriage on the prior acts and agreements of husband and wife. 16. The disabilities of coverture. 17. Gifts and allowances by husband to wife. 18, 19, 20. Wife's separate property. 21. Restraint on anticipation. 22. Separation.

Such are the contents and arrangement of Mr. Roper's Treatise. We see nothing redundant in the one, or defective in the other. There is, indeed, in the 16th chapter, a general dissertation on powers, occupying about six pages, which may be considered disproportionate to the rest of the work; but we do not remember another instance of the kind.

Mr. Bright's divisions are more elaborate. After an introductory dissertation on the marriage contract, comes—

Book I. On the general rights, liabilities, and disabilities arising out of the relation of husband and wife. 1. Effect of marriage on prior acts and agreements [*not* including the question as to the efficacy and extent of the consideration of marriage]. 2. Limitations to husband and wife, by entireties, &c. 3. Gifts between husband and wife. 4. Husband's interest in wife's personalty. 5. Reduction into possession of wife's choses en action. 6. Releases and assignments of wife's choses en action. 7. Wife's consent to vesting her equitable choses in husband. 8. Wife's chattels real. 9. Husband's interest in wife's freeholds for life, and estate of inheritance before birth of issue. 10. Curtesy. 11. Husband's power over wife's real estates. 12. Leases by husband of wife's estates. 13. Settlements fraudulent against husband. 14. Wife's equity to a settlement out of her own property. [Here we rub our eyes, and inquire why the effect of a wife's consent to dispositions of her property is to be considered before her right to a settlement, the subjects of curtesy, leases, &c. intervening? Mr. Roper's defective arrangement has no flaw so glaring as this.] 15. Maintenance of wife out of her own property, when husband deserts or is unable to maintain her. 16. Exoneration and redemption of wife's estates mortgaged for her husband. 17. Paraphernalia. 18. Wife's interest in husband's personalty, under Statute of Distributions and by custom. 19. Dower. 20. Bar of dower by jointure. 21. Bar of dower by other means. 22. Husband's liability for wife's debts and contracts. 23. Devastavit where wife is executrix. 24. Disabilities of coverture. 25. Rights of wife who has eloped and committed adultery.

Book II. Of certain rights acquired by the husband or wife, by settlement or contract. 1. Purchase by husband of wife's choses, by a settlement. 2. Wife's rights under post-nuptial settlement against creditors. 3. Proof on behalf of wife when husband becomes bankrupt. 4. Settlement in fraud of bankrupt laws. 5. Settlements where wife is infant. 6. Covenant by husband to leave or settle personal estate. 7. Covenant to settle wife's future property. 8. Limitations to "next of kin," &c. of husband or wife.

Book III. Of the wife's separate estate. [Is not this a right acquired by settlement?] 1. How created. 2. Wife's power of disposition. 3. When wife takes absolute interest in, or a mere power to appoint, the capital. 4. Liability of separate estate to wife's debts and contracts, and of her separate character. 5. Wife's acts and acquiescence respecting her separate estate, in regard to her husband. 6. Wife's title to relief against her separate contracts. [Surely this is a part of Chap. 2.] 7. Restraint on anticipation. 8. Pin-money. 9. Wife's separate trading and savings.

Book IV. Of separation between husband and wife, (for the details of which we have not space).

From the above summary our readers will learn the scope of Mr. Bright's book. We see here no notable improvement on Roper's arrangement. There are, however, some new topics of interest; and some subjects of importance, which Roper had slurred over, are fully treated by Mr. Bright. Add to this, that the cases and enactments subsequent to 1826 have been collected and incorporated with considerable industry and accuracy, and it will be seen that Mr. Bright's *editorial* labours and merit have not been slight. The cases are stated succinctly, and the text is clear and intelligible, so that the work is very useful for reference, and as a guide to the cases: it would have been more so if the publisher's economy had not deprived it of the valuable adjunct of side-notes to the paragraphs. But to the character of a *critical* treatise on the principles of the law, the book has no other pretensions than those which are founded on the matter taken from Jacob's Roper. Mr. Bright has generally been contented to state the cases as he found them, and has shewn little anxiety to extract general principles from them, or to

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analyse apparently conflicting cases, and display the distinctions by which they may be reconciled, or to weigh the relative values of those which are really in conflict. In consequence of this neglect of criticism, Mr. Bright sometimes overlooks decisions really bearing on the question in hand, and sometimes fails to notice errors in reports which a more wakeful perusal of them might detect. Thus, in vol. 1, p. 122, he follows Mr. Roper, in citing *Sumner* v. *Partridge* (2 Atk. 47) as an authority for the point which was long after unexceptionably decided in *Barker* v. *Barker*, (2 Sim. 249), without perceiving (though he states the limitations) that the not very able judge who decided the earlier case had entirely mistaken the effect of the limitations, which raised not the point intended to be decided, but the very different point decided the other way in *Buckworth* v. *Thirkell*. Again, at p. 98, after stating that the husband may, at law, assign his wife's term, and defeat her interest by survivorship, he adds, that the same rule prevails in equity, and was first settled, by the House of Lords, in *Sir E. Turner's case*, (1 Vern. 7; 1 Ch. Cas. 307). He also cites as an authority *Tudor* v. *Samyne*, which, in 2 Vern. 270, is stated as an erroneous decision against the validity of future trusts for separate use, while, by an imperfect statement from the Registrar's book, (4 My. & C. 389, n.), it appears not to have concerned separate estate at all, but which does not appear, from either report, to have decided the point in question; for, if the note in 4 My. & C. 389, is correct, the wife had only a life interest in the term. (See *Elliott* v. *Cordell*, 5 Mad. 155; *Stanton* v. *Hall*, 2 Russ. & M. 175; *Stiffe* v. *Everett*, 1 My. & C. 41). The doctrine commonly supposed to have been decided in *Turner's case* is plainly anomalous, and untenable in principle; and this, with the obscurity of the reports, having suggested to Mr. Macqueen's mind that the case might possibly have been misreported, the result has been an examination of the Lords' Journals, and other sources of information, (see Macqueen on Husband and Wife, 82), which shew that there is no evidence that the point was ever discussed in that case. See, too, *Sturges* v. *Champneys*, (5 My. & C. 97), where Lord Cottenham treated *Turner's case* as of no authority, and expressly decided the contrary to Mr. Bright's proposition. And this decision was followed in *Hanson* v. *Keating*, (4 Hare, 1); *Freeman* v. *Fairlie*, (11 Jur. 447); *Newenham* v. *Pemberton*, (Ib. 1071). Mr. Bright, however, lays down the rule, from *Turner's case*, without any doubt or question, and does not refer to the modern cases, in which it was not followed. In a subsequent page, indeed, (231), he cites *Sturges* v. *Champneys* and *Hanson* v. *Keating*, but without any intimation of their bearing on the proposition in p. 98.

Occasionally Mr. Bright copies Mr. Roper too closely, as at p. 294, vol. 1, where he adopts his author's proposition, that "another bar of the widow's right to her 'paraphernalia occurs when the husband takes upon 'himself to bequeath to his wife her paraphernalia for 'life, *and she does not claim them absolutely* by her 'elder title as paraphernalia. In this case, it is pre-'sumed that her administrator after her death will not 'be entitled to them; and such seems to have been the 'opinion of the Court in the case of *Clarges* v. *Albe-'marle*, (2 Vern. 247)." This proposition is incorrect, and is not warranted by the case in Vernon. If the husband assumes to dispose of his wife's paraphernalia by will, and gives her any benefit by will, she cannot take the benefit, and dispute the disposition of the paraphernalia; but that is a consequence of the general rule as to election, and does not depend on any specialty in the position of a widow, or in the nature of her right to paraphernalia, or on the gift of the paraphernalia being, in the first instance, to herself for life. If, in the case put by Roper, the wife expressly claimed her paraphernalia by her elder title, that would not avail her if she also accepted any benefit under the will; and if, without receiving any benefit under the will, she neglected expressly to assert her elder title to the paraphernalia, that neglect would in no degree prejudice her.

Again, at p. 79, Mr. Bright cites *Incledon* v. *Northcote*, (3 Atk. 430), with *Walter* v. *Saunders*, (1 Eq. Ab. 58), as an authority for the proposition, that a term vested in trustees for the wife may be assigned, so as to carry the beneficial interest. But in *Incledon* v. *Northcote*, the portion was actually raised by means of the term, and so reduced into possession, and the wife afterwards confirmed the transaction by joining in a recovery of the land.

At p. 118 we find an error which must be Mr. Bright's own. After stating the rule of the common law, that the seisin of one tenant in common is the seisin of the other, for the purpose of entitling the husband of the latter to curtesy, he adds, "But now, since the 3 & '4 Will. 4, c. 27, s. 12, the possession of one coparcener 'or tenant in common is not that of the other." The enactment in question has nothing to do with curtesy, but refers exclusively to possession for the purposes of the act, namely, for the purpose of determining the commencement of the period of limitation. It refers to the possession spoken of in the other clauses of the act, and is plainly limited in its operation by the scope of the act.

In the chapter on the construction of limitations "to the next of kin," "personal representatives," "executors or administrators," &c. of the husband and wife, we find no reference to the cases of *Hoare* v. *Barnes*, (3 Bro. C. C. 316), *Maberly* v. *Strode*, (3 Ves. 450), *Maugham* v. *Vincent*, (9 Law Journ., Ch., 329), *Smith* v. *Smith*, (12 Sim. 317), &c., or to the point involved in them, as to the construction of a limitation to the personal representatives of the wife, *as if she had died unmarried*.

Mr. Bright cites the recent case of *Flask* v. *Longmate*, (8 Beav. 420), as to dower out of a mortgage estate after the equity of redemption has been barred; but passes over *Knight* v. *Frampton*, (4 Beav. 10), where A., being seised in fee, in trust for himself and B., in moieties, mortgaged the entirety without B.'s knowledge. B. afterwards paid off the mortgage, and took a conveyance to himself, subject to such equity of redemption as might be subsisting. It was held, that B.'s widow was not dowable out of B.'s moiety. The decision seems to be unsound, but it should not have been passed without notice.

We have not discovered these few errors without search; and, on the whole, we have been impressed with the general accuracy and completeness of Mr. Bright's work, and its utility as a guide to the authorities, though it is to be regretted that so little has been done to elucidate or criticise obscure, conflicting, and erroneous decisions.

We have now before us the concluding part of Mr. Macqueen's work, comprising the law of settlements and of agreements for separation. It fully justifies the favourable opinion which we expressed on the appearance of the first part. Mr. Macqueen goes less into detail, and more into principle, than Mr. Bright; gives to leading cases their due prominence; and, by stating, in language which is often singularly terse, the principle of each case, while he suppresses the particulars, contrives to say much in little compass. A vigilant scrutiny of principle is, in fact, the characteristic of his performance. "Keeping," he says, "within limits of a 'strict adherence to my subject, the relation of husband 'and wife is one peculiarly fertile in legal difficulties, 'and certainly not barren of judicial conflict. Merely to 'collect the cases would have been easy; but I have not 'always thought myself at liberty to give decisions 'without commentary. The remarks of a legal writer

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'may be of use in practice. He has his mind full of the 'subject. All the authorities have been reviewed by 'him. He finds a case which, in the language of the 'Courts, 'stands alone.' By a word or two, he may 'prevent it from misleading. He puts readers on their 'inquiry; and, by inducing an exercise of thought, 'fixes legal principle in the reason as well as in the 'memory."

In some supplementary observations on the recent decision of Lord Cottenham, in *Whittle* v. *Henning*, (12 Jur. 1079), Mr. Macqueen sanctions a doubt which is occasionally raised in practice, but, we think, without sufficient foundation. He says:—

"The great difficulty is, to determine what shall 'constitute a reduction into possession, so as to bar the 'widow's right. Thus, suppose her entitled to a sum 'of money secured by mortgage, and that the husband 'applies for payment; suppose, also, that the mort-'gagor is obliged to borrow the amount, and that the 'lender stipulates for a continuance of the old debt, and 'for a transfer of the old security; will this transfer 'be a reduction into possession? In other words, is the 'transferee bound to pay to the widow that debt 'which has never been extinguished, but, on the con-'trary, has been kept on foot by his own stipulation? 'According to *Purdew* v. *Jackson*, the widow's claim 'seems insuperable. Yet can anything be conceived 'more unjust? The case of *Rees* v. *Keith*, before Sir 'L. Shadwell, (11 Sim. 388), does not solve this ques-'tion, because there his Honor assumes that the mort-'gage-debt was paid."

Mr. Bright agrees with Mr. Macqueen, (vol. 1, p. 78). We have always been at a loss to appreciate the difficulty here suggested. The rule in *Purdew* v. *Jackson*, &c. is this—that a wife's title by survivorship to her equitable choses en action is barred by nothing short of actual recovery of them in the husband's lifetime. Now, a chose en action, whether legal or equitable, is recovered when the debtor has discharged himself; and, in the case of a mortgage, either directly to A., (which will then, generally, be a security for a *legal* debt to her), or to a trustee for A., receipt of the money by A. will discharge the debtor, and also the trustee where there is one. But a payment, which would be a re*duction into* possession, if made to A., being single, is equally a reduction into possession when it is made to A.'s husband. But, Mr. Macqueen says, that the debt is kept on foot. This is not so in the case in question, for the chose in action is not a debt owing from the mortgagor to the wife, but money for which the trustee alone is accountable to the wife; that debt or liability is not kept on foot. In the case of a mortgage made to the wife herself, with a covenant for payment, the question would be as to the reduction into possession of a *legal* chose in action, and would not be governed by the doctrine in *Purdew* v. *Jackson*.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—Anthony Atkinson, of Beverley, Yorkshire; Samuel Sketchley, of Horncastle, Lincolnshire; George Durrant Austin, of Tunbridge Wells, Kent.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Robert Bromley, Esq., for the county of Nottingham, (Southern Division), in the room of Lancelot Rolleston, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

ILLNESS OF LORD DENMAN.—In the Court of Queen's Bench, on Thursday, Mr. Justice Patteson announced to the Bar, that all motions respecting trials had before Lord Denman would be heard by the Court in his Lordship's absence, it being difficult, in the present state of the noble Lord's health, to say how soon he would be able to attend in court.

Court Papers.

EQUITY CAUSE LISTS, EASTER TERM, 12 VICT. 1849.

*** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Re-hearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR.

APPEALS.

Hodgkinson *v.* Hodgkinson (Ap) *S O*
Same *v.* Jackson
Knight *v.* Majoribanks (Ap)
Same *v.* Gibbs
Scarf *v.* Soulby (Ap)
Onslow *v.* Wallis (Ap)
Cudden *v.* Morley (Ap)
Chambers *v.* Siggers (Ap)
M'Intosh *v.* Great Western Railway Company (Ap)
Attorney-Gen. *v.* Jones (Ap)
Phillipson *v.* Gatty (Ap)
Gatty *v.* Phillipson
Staniland *v.* Willott (Ap)
Coward *v.* Coward (Ap)
Cooke *v.* Cholmondeley (Ap)
Same *v.* Vaux
Cole *v.* Scott (Ap)
Rackham *v.* Siddall (Ap)
Williams *v.* Powell (Ap)
Same *v.* Davis
Price *v.* Powell
Monro *v.* Taylor (Ap)
Duncan *v.* Luntley (Ap)
Malcolm *v.* Scott (4 causes, Ap)
Boothby *v.* Boothby (Ap)
Fuller *v.* Benett (Ap)
Watson *v.* Masters (Ap)
Dodson *v.* Powell (Ap)
Hawkins *v.* Jackson (Ap)

Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Brooke *v.* London and Westminster Bank (D)
Same *v.* Same (D)
May *v.* Skey (D)
Att.-Gen. *v.* Grainger *S O*
Att.-Gen. *v.* Wiltshire (F D)
Wilshere *v.* Harmood
Smith *v.* Pincombe
Same *v.* Smith
Duff *v.* Chester
Palmer *v.* Goren (2 causes) *S O*
Daintree *v.* Day *S O*
Menlove *v.* Hogg
Same *v.* Trustees of Liverpool Docks
Same *v.* Same
Allen *v.* Wilson *May* 20
Hobson *v.* M'Kenzie
Dunn *v.* Dunn
Trinder *v.* Gibbon
Clarke *v.* Vernon
Kiddell *v.* Saunders
Holl *v.* Gedge
Boyd *v.* Boyd
Thompson *v.* Watts
Comins *v.* Stawall *Sh*
Duke D'Uzes *v.* East India Co.
Hemming *v.* Griffith
Peto *v.* Peto
Bell *v.* Causton
Jones *v.* Jones (F D, C)
Cornewall *v.* Allen
Harvey *v.* Graves
Hirst *v.* Tolson
Reave *v.* Rowett
Robinson *v.* Robinson (F D, C)
Goold *v.* Wilkes (F D, C)
Walton *v.* Holl (F D, C)
Morison *v.* Moxon (F D, C)
Foster *v.* Foster
Same *v.* Greaves
Savage *v.* Taylor (2 causes) *Sh*
Cresswell *v.* Bateman (F D, C)
Beauchamp *v.* Barwell
Earl of Carnarvon *v.* Earl of Colchester *April* 30
Harries *v.* Thomas (F D, C) *Sh*
Vesey *v.* Vesey (F D, C, Ptn) *Sh*
Bevis *v.* Nicholson *May* 4

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Stanley *v.* Bulkeley *Trin. T.*
Hughes *v.* Scarborough *S O*
Powell *v.* Dodson *May* 2
Same *v.* Same
Chapman *v.* Chapman
Wood *v.* Ordish (F D) *S O*
Richardson *v.* Bebb *May* 7
Aflato *v.* Phillips
Same *v.* Same
Towne *v.* Clarke
Ayling *v.* Kinton
Smith *v.* North
Haywood *v.* Grazebrook (E, F D) *April* 24
James *v.* Gwynne
Same *v.* Evans
Same *v.* Harris
Boughton *v.* James (5 causes)
Gude *v.* Worthington
Davis *v.* Wilford
Same *v.* Baker
Ford *v.* Moline (F D, C)
Hook *v.* Sankey
Graham *v.* Fitch
Mackenzie *v.* King (F D, Ptn)
Ward *v.* Messenger
Bennett *v.* Boughton (6 causes, F D, C)

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Rudd v. Headly (2 causes)
Constable v. Bull *April* 28
Rashleigh v. Mount *April* 30
Batson v. Foot (F D, C)
Day v. Linton *April* 30
Blundell v. Stanley
Fowler v. Reynal *May* 4
Brearcliffe v. Doubleday (2 causes) *May* 4
Jones v. Williams (6 causes, F D, C)
Hancox v. Spittle *May* 4
Nelson v. Straughan
Grind v. Hall *May* 4

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Sloane v. Browne (2 Ds)
Chandler v. Corke *Trin. Term*
Nesfield v. White *Trin. Term*
Marshall v. Sladden
Churchill v. Harnett *S O*
Fussell v. Elwin
Lassence v. Lescher *S O*
Reynell v. Sprye
Same v. Same
Sprye v. Reynell
Same v. Same
Stocken v. King
Belcher v. Same
Penny v. Riky
Same v. Kelly
Kenna v. Singleton
Wheeldon v. Perkin
Wheeldon v. Bridgwood
Dyke v. Rendall
Bath v. Hippesley *April* 28
Labouchere v. Clarkson (F D, part heard) *April* 16
Cargill v. Clarke
Bateman v. Wilks (F D, C)
Att.-Gen. v. Murdock *April* 26
Langdale v. Kelham *April* 27
Lowis v. Burnie
Kersteman v. Wood *April* 30
Aufrere v. Hill *May* 4
Att.-Gen. v. Phillips (F D, C)
Dott v. Hoyes *May* 4

Rolls Court.

JUDGMENTS RESERVED.

Smith v. Earl of Effingham (As to costs)
Hooper v. Salmon
Tugwell v. Hooper

PLEAS AND DEMURRERS.

Dean of Ely v. Gayford *S O*
Same v. Waddelow *S O*
Same v. Same *S O*
Same v. Bliss *S O*
Same v. Shillito *S O*
Same v. Hensley *S O*
Lewis v. Baldwin (objection for want of parties) *S O until hearing*
Chambers v. Howell (Pl) *S O*
Chambers v. Howell (Pl) *S O*
Whitfield v. Day (D)
Chambers v. Howell (Pl) *S O*
Groom v. Kennard (D) *T. T.*
Lord Suffield v. Whalley (D)

CAUSES.

Churchman v. Capon (F D,
Churchman v. Capon C, pt. heard)
Stourton v. Jerningham *S O to present petition*
Hemming v. Archer (F D,
Hemming v. Archer C,)
Hemming v. Archer *S O till*
Hemming v. Archer *Pts. of*
Raworth v. Archer *Re-hearing disposed of*
Hemming v. Archer (Re-h.,
Hemming v. Archer part
Hemming v. Archer heard)
Hemming v. Archer *3rd*
Raworth v. Archer *C D*
Gas Light and Coke Co. v. Symonds
Symonds v. Gas Light and Coke Co.
Stillman v. Gas Light and Coke Co.
Christy v. Courtenay *After Trinity Term*
Christy v. Courtenay (F D, C) *After Trinity Term*
Baynton v. Hooper *S O to*
Baynton v. Hooper *amend*
Wilson v. Eden (F D, C) *S O until case returned from Queen's Bench*
Bennett v. Cooper (F D, C) *S O*
Biggs v. Naylor *S O*
Attorney-Gen. v. Brook (re-hearing)
Johnson v. Thomas *S O to add parties*
Hele v. Bexley (E, F D,
Hele v. Bexley C) *S O*
Hele v. Bexley *until after*
Hele v. Bowyer *trial of action at law*
Hele v. Donovan
Vallance v. Amiot (E) *Mich. T.*
Hargrave v. Hargrave (F D, C) *Mich. Term*
Rudge v. Winnall (F D, C) *Trin. Term*
Attorney-Gen. v. Stevens (pt. heard)
Senhouse v. Hall *April* 21
Ballenger v. Hawes (F D, C)
Buck v. Dennis *S O to amend*
Att.-Gen. v. Cheney *Trin. T.*
Read v. Smith *S O*
Bryant v. Blackwell
Rose v. Blackwell
Leith v. Bishop of London (F D, C)
Rice v. Gordon
Rice v. Scarlett
Rice v. Gordon (F D, C)
Carter v. Gordon
Carter v. Ayres

NEW CAUSES.

Parker v. Disney
Ellis v. Maxwell
Ellis v. Maxwell (F D, C,
Ellis v. Maxwell Ptn)
Ellis v. Lyte
Sturge v. Sturge *April* 20
Birchall v. Croysdale *May* 5
Hamilton v. Hamilton
Pooley v. Pooley *May* 5
Gossett v. Vivian
Gossett v. Vivian (E, F D, C)
Vivian v. Vivian

London Gazettes.

TUESDAY, APRIL 17.

BANKRUPTS.

ALFRED HENRY MAUDE GOODEVE, Garlick-hill, Upper Thames-street, London, wine merchant, dealer and chapman, (trading under the firm of Maude, Goodeve, & Co.), and Conduit-street, Hyde-park, Middlesex, wine merchant, (lately trading with Ebenezer Tearle, under the firm of Tearle & Co.), April 27 at half-past 12, and June 1 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Tripp, 2, Adelaide-place, London-bridge.—Fiat dated April 12.

DANIEL SMITH and FREDERICK DANIEL SMITH, Bevor-lane, Hammersmith, Middlesex, wholesale drysalters and oilmen, dealers and chapmen, April 24 at 11, and June 1 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Young & Co., 2, St. Mildred's-court, Poultry.—Fiat dated April 12.

RICHARD CROSS, Union-street, Lisson-grove, St. Mary-le-bone, Middlesex, late of Little King-st., Camden-town, St. Pancras, horse slaughterer and horse dealer, dealer and chapman, April 27 at 12, and June 1 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Field, Finsbury.—Fiat dated April 12.

JOHN LOUSTAN, Crutched-friars, London, wine merchant, dealer and chapman, April 24 at half-past 12, and May 25 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wilson, Furnival's-inn, Holborn.—Fiat dated April 10.

CHARLES MAYHEW, Ebury-street, Pimlico, Middlesex, hosier and laceman, dealer and chapman, April 25 at half-past 11, and May 26 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sol. Robinson, Ironmonger-lane, London.—Fiat dated April 12.

JOHN WIGGINS, Greenwich, Kent, bookseller and stationer, dealer and chapman, April 27 and May 26 at half-past 11, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Bristow & Tarrant, Bond-court, Walbrook.—Fiat dated April 9.

MATTHEW TOON TIBBETT, late of March, Cambridgeshire, innkeeper, and of Farcett, Huntingdonshire, farmer, but now of Ely-place, London, out of business, April 26 and May 23 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Chidley, Guildhall-chambers, Basinghall-street.—Fiat dated April 16.

THOMAS WRIGHT, Longton, Stoke-upon-Trent, Staffordshire, grocer, dealer and chapman, April 26 and May 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Young, Longton, Staffordshire; Smith, Birmingham.—Fiat dated March 26.

BENJAMIN WRIGHT, Coalbrookdale, Madeley, Shropshire, coach and omnibus proprietor, innkeeper, victualler, dealer and chapman, May 1 and 29 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Gordon, Shrewsbury; Hodgson, Birmingham.—Fiat dated April 12.

GEORGE ELLINS, Droitwich, Worcestershire, salt manufacturer, (trading under the firm of Ellins & Co.), May 1 and 29 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Jones, Worcester; Smith, Birmingham.—Fiat dated March 26.

HENRY GORE, Cheltenham, Gloucestershire, plumber and glazier and beer-house keeper, dealer and chapman, May 1 and 25 at half-past 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Chesshyre, Cheltenham; Bromley & Co., Gray's-inn, London.—Fiat dated March 31.

CHARLES BEASLEY, Bristol, mercer and draper, dealer and chapman, April 27 and May 25 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Sale & Co., Manchester; Leman & Humphrys, Bristol.—Fiat dated March 30.

LEMUEL GULLIVER GROVES, Charlton Marshall, Dorsetshire, horse dealer, cattle dealer, and sheep dealer, dealer and chapman, April 26 at 1, and May 30 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Rawlins, Wimborne Minster; Fincham, Blandford; Stogdon, Exeter; Edwards & Peake, New Palace-yard, Westminster.—Fiat dated April 5.

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JAMES WILD, Brecon, Brecknockshire, licensed victualler, dealer in butter, cheese, and sheep, dealer and chapman, May 1 and 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Sabine, Bristol; Trehern & White, Barge-yard-chambers, Bucklersbury, London.—Fiat dated April 4.

JAMES HARRIS, Weymouth and Melcombe Regis, Dorsetshire, hatter, dealer and chapman, April 6 at 1, and May 23 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Arden, Weymouth; Lambert, Exeter; Bridges & Mason, Red Lion-square, London.—Fiat dated April 9.

JOHN WINDER and RICHARD FISHER, Liverpool, merchants, (carrying on business under the name, style, or firm of John Winder & Co.), May 1 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Booker, Liverpool; Holme & Co., New-inn, London.—Fiat dated April 12.

JOHN JONES, Holyhead, Anglesey, innkeeper, victualler, dealer and chapman, April 30 and May 24 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. *Lloyd* & Co., Carnarvon; Curry & Statham, Liverpool; *Sweeting* & Burn, Southampton-buildings, London.—Fiat dated April 11.

JOHN OWEN, Trefnarmay, Myfod, Montgomeryshire, farmer and tanner, dealer and chapman, April 30 and May 21 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Brabner & Son, Liverpool; Chester, Staple-inn, London.—Fiat dated April 9.

WILLIAM TOMLINSON, Salford, Lancashire, victualler, dealer and chapman, May 3 and 24 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Leeming & Richardson, Manchester; Mourilyan & Rowsell, Verulam-buildings, Gray's-inn, London. — Fiat dated April 3.

JAMES ASHWORTH, Nunhills, Forest of Rossendale, Lancashire, woollen manufacturer, dealer and chapman, May 3 and 24 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Atkinson & Co., Manchester; Abbott, Lincoln's-inn-fields, London.—Fiat dated April 9.

GEORGE BARRAS, Newcastle-upon-Tyne, wine and spirit merchant, April 26 and June 7 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Bowlby, Newcastle-upon Tyne; Lawrence & Co., 23, Old Fish-street, Doctors'-commons, London. — Fiat dated April 9.

MEETINGS.

Lesley Alexander and *Wm. Bardgett*, Old Broad-st., London, merchants, April 28 at 2, Court of Bankruptcy, London, pr. d.—*Lewis Jos. Hart*, Great Yarmouth, Norfolk, woollen draper, May 9 at 11, Court of Bankruptcy, London, aud. ac. —*Thos. White*, Cornhill, London, chemist, May 9 at 12, Court of Bankruptcy, London, aud. ac.—*William Broady*, Halken-st. West, Belgrave-square, Middlesex, commission-agent, May 9 at 11, Court of Bankruptcy, London, aud. ac. —*Emma Tomlins*, Coleford, Newland, Gloucestershire, grocer, May 1 at 11, District Court of Bankruptcy, Bristol, aud. ac.; May 4 at 11, div.—*Christopher G. Middleton*, Manchester, soap manufacturer, May 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Cephas Savage*, Chesterfield, Derbyshire, builder, May 10 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Henry John Barker*, Calamanco Mill, Flixton, Lancashire, drug grinder, May 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Horsfield*, Sunderland, Durham, merchant, May 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Henry Penman*, Sunderland, Durham, ironmonger, May 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*William Wallace* and *George Dormand*, Sunderland, Durham, butchers, May 8 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Edward Smith*, *James Rait Beard*, and *Richard Tew Smith*, Cheapside, London, warehousemen, May 8 at half-past 12, Court of Bankruptcy, London, div. joint est.; at 1, div. sep. est. of *Richard Tew Smith*.—*Wm. Keys*, Roberts-place, Commercial-road East, Middlesex, linen draper, May 8 at half-past 11, Court of Bankruptcy, London, div.—*James Sotter* and *Wm. Fred. Hammond*, Spread Eagle Works, Causeway, Limehouse, Middlesex, engineers, May 8 at 11, Court of Bankruptcy, London, div. sep. est. of *William Frederick Hammond*.—*Wm. Brooks*, Great Queen-street, Lincoln's-inn-fields, Middlesex, carver and gilder, May 10 at 12, Court of Bankruptcy, London, div.—*Isaac Boyd* and *Richard Harmer*, Spital-square, Middlesex, silk manufacturers, May 8 at 12, Court of Bankruptcy, London, div. sep. est. of *Isaac Boyd*.—*Stephen Keen* and *Wm. Langford*, John-st., Pentonville, Middlesex, brewers, May 8 at 2, Court of Bankruptcy, London, div.—*Nicholas Wanostrocht*, Heath-cottage, Blackheath-hill, Kent, boarding-house keeper, May 8 at 12, Court of Bankruptcy, London, div.—*John Giles*, Shoreditch, Middlesex, clothier, May 8 at 1, Court of Bankruptcy, London, div.—*Wm. Clarkson*, Redcross-st., London, shoe manufacturer, May 8 at 1, Court of Bankruptcy, London, div.—*Peter Fisher*, Bristol, ironmonger, May 10 at 11, District Court of Bankruptcy, Bristol, div.—*Zebulun Leigh*, Manchester, coffee merchant, May 10 at 11, District Court of Bankruptcy, Manchester, div.—*William Fordyce*, Newcastle-upon-Tyne, bookseller, May 8 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. —*George Lowe*, Chesterfield, Derbyshire, woollen draper, May 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Workman, St. George's-place, Water-lane, Brixton, Surrey, beer-shop keeper, May 9 at 12, Court of Bankruptcy, London. —*John D'Monte Arbuthnot*, Great Saint Helen's, Bishopsgate-street Within, London, and the Albany, Piccadilly, Middlesex, merchant, May 9 at 2, Court of Bankruptcy, London.—*Thos. Norton Brown*, Fetter-lane, pawnbroker, and Throgmorton-street, London, stockbroker, May 8 at 11, Court of Bankruptcy, London.—*Charles Reeves*, Bath, Somersetshire, marble mason, May 10 at 11, District Court of Bankruptcy, Bristol. — *Hercules Hailes Dancocks*, Stonehouse, Kimpley, and Great Netherton, Dymock, Gloucestershire, coal dealer, May 10 at 11, District Court of Bankruptcy, Bristol. — *William Stothert*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturer, May 1 at 12, District Court of Bankruptcy, Bristol.—*Geo. Dormand*, Sunderland, Durham, butcher, May 8 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Francis Tombs*, Cheltenham, Gloucestershire, miller, May 10 at 12, District Court of Bankruptcy, Bristol.—*Thos. Ives*, Wakefield, Yorkshire, dyer, May 8 at 1, District Court of Bankruptcy, Leeds.—*John Rhodes*, Clegghall, and *James Rhodes*, Rochdale, Lancashire, cotton spinners, May 10 at 12, District Court of Bankruptcy, Manchester. — *David Evans* the younger, Liverpool, coach builder, May 9 at 11, District Court of Bankruptcy, Liverpool.—*Henry Dean*, Chester, spirit merchant, May 11 at 11, District Court of Bankruptcy, Liverpool.—*John Staddon*, Holsworthy, Devonshire, grocer, May 14 at 11, District Court of Bankruptcy, Exeter.—*James Barber* and *Aaron Barber*, Martock, Somersetshire, ironmongers, May 10 at 1, District Court of Bankruptcy, Exeter. —*Philip Hugh Webber*, *Bernard James Webber*, and *Henry Webber*, Newton Abbott, Devonshire, ironfounders, May 10 at 1, District Court of Bankruptcy, Exeter.—*Joseph Perriam*, Exeter, porter merchant, May 14 at 11, District Court of Bankruptcy, Exeter.—*Wm. East Holmes*, Lichfield, Staffordshire, coach maker, May 15 at 11, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 8.

Francis Marshall, Sunderland, Durham, chemist.—*John Wintle*, Shirehampton, Westbury-upon-Trym, Gloucestershire, innkeeper.—*Geo. Jos. Gladstone*, Brunswick-st., Blackwall, Poplar, Middlesex, shipwright.—*James Summers*, Cambridge, cabinet maker.—*John Swindell*, Ardwick, Manchester, plumber.—*Wm. Goodman Henfrey*, Coventry, Warwickshire, druggist.—*Wm. Spencer Clarke*, Dorking, Surrey, printer.—*Fred. Leake*, Regent-street, St. James's, Westminster, and George-yard, St. Ann's, Westminster, Middlesex, relievo leather manufacturer.—*Philip Coxford*, Mary's-place, Hertford-road, Middlesex, timber merchant.

SCOTCH SEQUESTRATIONS.

Benoit Tourniaire, Edinburgh, manager of the French company of equestrians.—*R. Adamson & Co.*, Leven, grocers.—*Wm. Lyon M'Phun*, Glasgow, bill broker.—*Thos. Hender-*

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son, Glasgow, draper.—*Robert Urie & Co.*, Paisley, manufacturers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Town, Little College-street, Upper Thames-street, London, out of business, May 8 at 12, County Court of Kent, at Maidstone.—*Robert Owens*, All Saints, Southampton, May 2 at 10, County Court of Hampshire, at Southampton.—*Jas. Balmforth*, Clayton, Bradford, Yorkshire, weaver, April 28 at 11, County Court of Yorkshire, at Bradford.—*Wm. Swann*, Little Horton, Bradford, Yorkshire, out of business, April 28 at 11, County Court of Yorkshire, at Bradford.—*Sarah Williams*, Pensarn, Abergeley, Denbighshire, May 5 at 11, County Court of Flintshire, at Saint Assph.—*John Jones*, Mold, Flintshire, watch maker, May 7 at 1, County Court of Flintshire, at Mold.—*Isaac Coleman*, New Romney, Kent, tailor, April 30 at 11, County Court of Kent, at New Romney.—*James Bayley*, Orford, Warrington, Lancashire, solicitor, May 3 at 10, County Court of Lancashire, at Warrington.—*Thos. Hollands*, Liverpool, butcher, April 23 at 10, Liverpool District County Court, at Liverpool.—*Robert Baron*, Hyde, Cheshire, brazier, April 25 at 10, County Court of Chester, at Hyde.—*Duncan Buchanan*, Weston, Cheshire, schoolmaster, April 26 at 11, County Court of Cheshire, at Nantwich.—*Wm. Mendenhall* the younger, Bath, laceman, April 21 at 12, County Court of Somersetshire, at Bath.—*George B. Sherborne*, Walcot, Bath, organ builder, April 28 at 12, County Court of Somersetshire, at Bath.—*Jas. Curtis*, Yeovil, Somersetshire, collar and harness maker, May 4 at 10, County Court of Somersetshire, at Yeovil.—*William Hobbs*, Sibton, Lyminge, Kent, land agent, April 28 at 10, County Court of Kent, at Hythe.—*George Inge*, Salisbury, Wiltshire, licensed victualler, April 28 at 2, County Court of Wiltshire, at Salisbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 1 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Bonnett, Globe-road, Mile-end, Middlesex, dairyman.—*Chas. F. Kraffi*, York-place, Kennington-road, Lambeth, Surrey, fishmonger.—*Jos. Barber*, Orange-st., Red Lion-sq., Holborn, Middlesex, chemist.

May 2 *at* 10, *before Mr. Commissioner* LAW.

Martha Sharp, New Cavendish-st., Marylebone, Middlesex, lodging-house keeper.—*Wm. F. Siltock*, Crawley-street, Oakley-sq., St. Pancras, Middlesex, out of business.—*Guy Hannington*, Denmark-st., Coal Harbour-lane, Camberwell, Surrey, engineer.

May 3 *at* 10, *before Mr. Commissioner* LAW.

John Hamilton, Exeter-street, Strand, beer-shop keeper.

May 4 *at* 10, *before the* CHIEF COMMISSIONER.

Julius F. C. H. Kleinhaus, Downham-street, Kingsland-road, Middlesex, transparent blind manufacturer.—*William F. Hutchings*, Craven-cottage, Upper Tulse-hill, Surrey, surveyor.—*George Day*, Lawson-street, Dover-road, Surrey, carpenter.—*John L. Palmer*, Upper Rathbone-place, Oxford-st., Middlesex, tailor.—*Mary Ann Wright*, Oxford-terrace, Old Kent-road, Surrey, boarding-house keeper.

Saturday, April 14.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Wear, Seaham-harbour, Durham, marine store dealer, No. 70,728 C.; John Maude Ogden, assignee.—*Utrick W. Dickenson*, Newcastle-upon-Tyne, share broker, No. 70,784 C.; Villiers Charles Villiers Surtees, assignee.—*E. Woolmer*, Hadleigh, Suffolk, cabinet maker, No. 70,677 C.; Thomas Hutton, Charles William Cookworthy Hutton, and Charles Wellborne Slee, assignees.—*James Charles Kempster*, Dunnington Lodge, near York, attorney's clerk, No. 70,346 C.; Richard Moulton, assignee.

Saturday, April 14.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Henry Paul, Dudley-street, Seven-dials, Middlesex, printer: in the Queen's Prison.—*Victor Coedes de Coppa*, Rathbone-place, Oxford-street, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Philip Maynard*, Adam's-row, Hampstead-road, Middlesex, foreman to a butcher: in the Debtors Prison for London and Middlesex.—*Frederick Maynard*, Adam's-row, Hampstead-road, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Ernest A. W. Band*, Castle-street, Long-acre, Middlesex, gilder: in the Debtors Prison for London and Middlesex.—*Joseph Trigwell*, Union-place, City-road, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Samuel Richards*, Weedon-cottages, Acton-town, Acton, Middlesex, sawyer: in the Debtors Prison for London and Middlesex.—*Fred. W. Kendall*, Phipps-street, Chapel-st., Curtain-road, Shoreditch, Middlesex, foreman to a cowkeeper: in the Debtors Prison for London and Middlesex.—*William Wrenn*, Duke-street, Lincoln's-inn-fields, Middlesex, coffee-house keeper: in the Debtors Prison for London and Middlesex.—*Jas. Sabberton*, Broad-st., Golden-square, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*John J. Jackson*, Schofield-place, Fulham-road, New Brompton, Middlesex, dyer: in the Debtors Prison for London and Middlesex—*Mark Collins*, Lumber-court, Seven-dials, Middlesex, hatter: in the Debtors Prison for London and Middlesex.—*Alfred Cocke*, Broadway, Westminster, Middlesex, oil and colour man: in the Debtors Prison for London and Middlesex.—*John Collier*, Addison-road, Notting-hill, Middlesex, gardener: in the Debtors Prison for London and Middlesex.—*Chrissoph Ludwig Friedrich Hermes Knuth*, Red Lion-street, Clerkenwell, Middlesex, dealer in fancy leather goods: in the Debtors Prison for London and Middlesex.—*James W. Smith*, Crown-street, Soho, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*Matthew Rowcliffe* the elder, Sutton-st., Soho, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*R. Oakden*, Norman's-buildings, Brick-lane, St. Luke's, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Henry Puddick*, Berkeley-st., Red Lion-street, Clerkenwell, Middlesex, blacksmith: in the Debtors Prison for London and Middlesex.—*Wm. Goudge*, Castle-street East, Oxford-street, Middlesex, coach smith: in the Debtors Prison for London and Middlesex.—*Chas. Jas. Watts*, Prospect-place, Upper Clapton, Middlesex, out of employ: in the Debtors Prison for London and Middlesex.—*Henry Herriott* the younger, Westbourne-place, Bishop's-road, Paddington, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Wm. Laing*, Hercules-buildings, Westminster-road, Surrey, wine merchant: in the Debtors Prison for London and Middlesex.—*Elias Treby*, Wenlock-terrace, Wenlock-road, City-road, Middlesex, plasterer: in the Debtors Prison for London and Middlesex.—*J. W. Barton*, Paradise-row, Clapham-road, Surrey, butcher: in the Gaol of Horsemonger-lane.—*C. Coltson*, Grosvenor-place, Kennington, Surrey, flax merchant: in the Queen's Prison.—*W. W. Medlicott*, Heneage-street, Brick-lane, Spitalfields, Middlesex, superintendent of police: in the Debtors Prison for London and Middlesex.—*Richard Wm. Wall*, Lloyd's-court, Crown-street, Soho, Middlesex, dairyman: in the Debtors Prison for London and Middlesex.

(On Creditors' Petition).

Robt. G. G. James, Grosvenor-place, Well-street, Camberwell, Surrey, proprietor of a patent for compounding medicine: in the Gaol of Horsemonger-lane.

(On their own Petitions).

Wm. Wilkinson, Manchester, brace and web maker: in the Gaol of Lancaster.—*Edward Brimelow*, Hulme, Manchester, bobbin turner: in the Gaol of Lancaster.—*Jas. Berry*, Bury, Lancashire, woollen manufacturer, in the Gaol of Lancaster.—*John C. Carter*, Liverpool, chief officer of the steam-ship Vectis: in the Gaol of Lancaster.—*John Dawson*, Wrenningham, Norfolk, shoemaker: in the Gaol of Norwich.—*John Glover*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Robert Glass*, Manchester, provision dealer: in the Gaol of Lancaster.—*Thomas Hyde*, Uttoxeter, Staffordshire, tailor: in the Gaol of Chester.—*Peter Jackson*, Liverpool,

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bailiff: in the Gaol of Lancaster.—*Edmund Miller*, Chorlton-upon-Medlock, Manchester, painter: in the Gaol of Lancaster.—*John Ogden*, Manchester, pork butcher: in the Gaol of Lancaster.—*Joseph Silcock*, Hulme, Manchester, butcher: in the Gaol of Lancaster.—*Wm. Whittaker*, Clitheroe, Lancashire, assistant to a licensed victualler: in the Gaol of Lancaster.—*James Waldron*, Plymouth, Devonshire, brewer: in the Gaol of St. Thomas the Apostle.—*Joseph Ramsden*, Salford, Lancashire, grocer: in the Gaol of Lancaster.—*John Fletcher*, Ulverstone, Lancashire, watchmaker: in the Gaol of Lancaster.—*Patrick Burke*, Liverpool, butcher: in the Gaol of Lancaster.—*Donald Ross*, Liverpool, superintendent of buildings: in the Gaol of Lancaster.—*Wm. Carrell*, Southsea, Hampshire, builder: in the Gaol of Portsmouth.—*Thos. Tindle*, South Shields, Durham, ship owner: in the Gaol of Durham.—*John Havard*, Wainycayre, Glasbury, Radnorshire, farmer: in the Gaol of Brecon.—*H. E. Smith*, Chatham, Kent, chemist: in the Gaol of Maidstone.—*Kaberry Kettlewell*, Chapeltown, near Leeds, Yorkshire, jeweller: in the Gaol of York.—*John Hill*, Staithes, near Guisbro', Yorkshire, innkeeper: in the Gaol of York.—*Eliab Hill*, Bradford, Yorkshire, slater: in the Gaol of York.—*W. H. Land*, Brynceire, Llanelly, Carmarthenshire, colliery proprietor: in the Gaol of Carmarthen.—*Edward Coe*, Mucking, Essex, innkeeper: in the Gaol of Chelmsford.—*Thomas Game*, Henstridge, Ash, near Milborne-port, Somersetshire, dealer in corn: in the Gaol of Wilton.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 1 *at* 10, *before the* CHIEF COMMISSIONER.

Robert Hutchinson, Tollington-park, Hornsey-road, Middlesex, out of business.—*Wm. B. Dear*, Brownlow-street, Holborn, Middlesex, cabinet maker.—*Thomas Wm. Plumb*, Prospect-place, Back-road, Kingsland, Middlesex, baker.

May 2 *at* 10, *before Mr. Commissioner* LAW.

Fred. Maynard, Adam's-row, Hampstead-road, Middlesex, butcher.—*Philip Maynard*, Adam's-row, Hampstead-road, Middlesex, foreman to a butcher.—*John Smith Morris*, Clarence-place, Camberwell-road, Surrey, coal dealer.

May 4 *at* 11, *before Mr. Commissioner* HARRIS.

John H. Crutch, St. John-street-road, grocer, and Grange-villas, Queen's-road, Dalston, Middlesex, out of business.—*John Lane* the younger, Keppel-street, Russell-square, and King's-bench-walk, Temple, Middlesex, barrister at law.—*J. Powell* the younger, Addington-square, Camberwell, Surrey, out of business.—*J. B. Larkman*, Gloucester-place, Kentish-town, Middlesex, carrier's clerk.—*Henry Defries* the elder, Duke-street, West Smithfield, London, commission traveller for the sale of lamp glasses.—*Louis Urban*, Barbican, London, cap maker.—*Samuel Richards*, Acton, Middlesex, sawyer.—*Wm. Mills*, Whittington-place, Upper Holloway, Middlesex, sculptor.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *April* 27 *at* 11.

Robert Glass, Manchester, out of business.—*P. Burke*, Liverpool, butcher.

At the County Court of Norfolk, at NORWICH, *May* 10.

John Dawson, Wrenningham, shoemaker.

At the County Court of Brecknockshire, at BRECKNOCK, *May* 3 *at* 10.

John Havard, Wainycayre, Glasbury, Radnorshire, farmer.

At the County Court of Herefordshire, at HEREFORD, *May* 17.

Wm. Smith, Hereford, auctioneer.

At the County Court of Hampshire, at SOUTHAMPTON, *May* 2 *at* 10.

Thomas Bishop, Southampton, builder.

INSOLVENT DEBTOR'S DIVIDEND.

Robert Gray Jackson, Bradford, Yorkshire, woolstapler, at Wavell's, Halifax: 14*s.* 1*d.* in the pound.

FRIDAY, APRIL 20.

BANKRUPTS.

JOHN LOUSTAN, Crutched-friars, London, wine merchant, dealer and chapman, April 27 and May 25 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wilson, Furnival's-inn, Holborn.—Fiat dated April 10.

JOHN MYERS LEVINE, (one of the partners in the firm of John Myers Levine & Mark Levison), Norwich, jeweller, and dealer in fancy goods, dealer and chapman, April 27 and June 1 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Miller & Son, Norwich; Abbott & Wheatley, Southampton-buildings, Chancery-lane, London.—Fiat dated March 20.

SAMUEL SEAL, Little Queen-street, Holborn, Middlesex, china, glass, and earthenware dealer, April 27 at half-past 1, and June 1 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Cattlin, 39, Ely-place, Holborn.—Fiat dated March 21.

JAMES ANDREWARTHA, Alverstoke, Hampshire, grocer, and also carrying on the business of a builder at Portsea, Hampshire, April 28 at half-past 2, and May 26 at half-past 12, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Mitchell, Portsmouth; Edgee, Verulam-buildings, Gray's-inn.—Fiat dated April 12.

WILLIAM FORTESCUE, Artillery-pl., Woolwich, Kent, baker, dealer and chapman, April 27 and May 29 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Young & Son, 29, Mark-lane.—Fiat dated April 17.

CHARLES FREDERICK BURTON, North Audley-street, Grosvenor-sq., Middlesex, auctioneer and upholder, (formerly carrying on business with Francis Spence, under the style or firm of C. F. Burton & Co., at the same place, as auctioneers and upholders), April 28 at 1, and May 29 at half-past 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Gammon, 9, Cloak-lane, City.—Fiat dated April 18.

GEORGE DAVIS the younger, Lawrence-lane, London, and Burton Mills, Burton Latimer, and Isham Mills, Isham, Northamptonshire, worsted spinner and carpet manufacturer, (carrying on business under the style or firm of George Davis & Co.), May 3 at 2, and June 5 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Drew & Shadwell, 185, Bermondsey-street, Surrey.—Fiat dated April 12.

CHARLES SMITH, Enfield, Middlesex, wine and spirit merchant, dealer and chapman, May 1 at 11, and June 1 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Cutten, Coleman-st., City.—Fiat dated April 19.

ROBERT CARTHY, Stafford, carpenter, joiner, and builder, dealer and chapman, April 25 and May 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Ward, Stafford; Smith, Birmingham.—Fiat dated April 9.

JAMES DOBBS, Withington, Herefordshire, timber, slate, and coal merchant, dealer and chapman, May 1 and 29 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Pritchard, Hereford; Bloxham, Birmingham; J. & C. Robinson, Queen-street-place, London.—Fiat dated April 17.

WILLIAM PROSSER MORGAN, (otherwise William Morgan), Abergavenny, Monmouthshire, innkeeper, dealer and chapman, May 1 and 29 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Price & Co., Abergavenny; Goolden, Bristol; Bridges & Co., Red Lion-square.—Fiat dated April 11.

HENRY ASHBEE, Kingscote, Gloucestershire, innkeeper and builder, May 4 and June 5 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Jones, Malmsbury; Price & Bolton, Lincoln's-inn.—Fiat dated April 13.

JAMES WOOD, Leeds, Yorkshire, joiner, dealer and chapman, May 1 and 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Horsfall & Co., Leeds; Hawkins & Co., New Boswell-court, London.—Fiat dated April 16.

JOHN TAYLOR, Liverpool, licensed victualler, dealer and chapman, May 1 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Dodge, Liverpool; Bridger & Collins, King William-st., London.—Fiat dated April 13.

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JOHN STAINTON, Lincoln, bookseller, stationer, printer, patent medicine vender, dealer and chapman, May 2 and 23 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Shackles & Son, Hull; Rogerson, Lincoln's-inn-fields, London.—Fiat dated April 12.

GEORGE LISTER the younger, Kingston-upon-Hull, wholesale ale and porter merchant, dealer and chapman, May 2 and 23 at 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Bunney & Wilson, Kingston-upon-Hull; Turner, Gray's-inn-sq., London. —Fiat dated April 4.

HENRY LISTER, Far Newland, St. Martin, Lincolnshire, miller, flour dealer, and coal merchant, dealer and chapman, May 9 and June 6 at 10, District Court of Bankruptcy, Leeds: Off. Ass. Carrick; Sols. Tweed, Lincoln; Jones & Sons, Millman-place, London. — Fiat dated April 10.

JOHN HOLDEN, Liverpool, money scrivener, dealer and chapman, May 7 and 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Littledale & Bardswell, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated April 16.

JAMES PAVANT, Manchester, and Lisbon, Portugal, merchant, dealer and chapman, (trading at Manchester and Lisbon with William Payant, of the same places), April 30 at 1, and May 23 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester; Reed & Co., Friday-street, Cheapside, London.—Fiat dated April 9.

MEETINGS.

Robert Haylock, Cambridge, chemist, May 22 at 2, Court of Bankruptcy, London, last ex.—*James Connell*, Stanisby-road, East India-road, Poplar, Middlesex, timber merchant, May 15 at 11, Court of Bankruptcy, London, aud. ac.—*B. Banotte*, North Walsham, Norfolk, innkeeper, May 14 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Daniel Britton*, Brussels, Netherlands, packer, May 17 at 11, Court of Bankruptcy, London, aud. ac.—*John Creft*, Markham-st., Chelsea, Middlesex, general dealer, May 17 at 11, Court of Bankruptcy, London, and. ac.—*Jas. Lawrie*, Newington-causeway, Surrey, milliner, May 17 at 12, Court of Bankruptcy, London, aud. ac.—*Thos. Nesworthy Heyward*, Torquay, Devonshire, grocer, May 14 at 11, District Court of Bankruptcy, Exeter, and. ac.—*Thos. Guy Pocock*, Gawbridge Mills, Kingsbury Episcopi, Somersetshire, miller, May 22 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 23 at 11, div.—*Wm. Scott*, Exeter, ironmonger, May 14 at 11, District Court of Bankruptcy, Exeter, and ac.; May 18 at 1, div.—*John Dacie Jeffery*, Sidmouth, Devonshire, apothecary, May 22 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 23 at 11, div.—*Robert Burns*, Exeter, general draper, May 14 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 18 at 1, div.—*John Roles*, Maiden Newton, Dorsetshire, linen draper, May 14 at 11, District Court of Bankruptcy, Exeter, and. ac.; May 18 at 1, div.—*Rob. Ashforth*, Birmingham, hardwareman, May 12 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; May 19 at 12, div.—*J. Morris*, Stone, Staffordshire, boot manufacturer, May 12 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Green* and *George Eley*, Birmingham, and Thavies-inn, Holborn, London, wholesale silversmiths, May 12 at 12, District Court of Bankruptcy, Birmingham, aud. ac. sep. est. of *J. Green*.—*John Robert Long*, Bath, linen draper, May 15 at 11, District Court of Bankruptcy, Bristol, aud. ac.; May 17 at 11, div.—*Robert Kilminster Scriven*, Brockthrop, Gloucestershire, baker, May 15 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thos. Holyland*, Manchester, woollen cloth manufacturer, May 17 at 11, District Court of Bankruptcy, Manchester, and. ac.; May 18 at 11, fin. div.—*Jos. Taylor Woolner*, Bury, Lancashire, currier, May 17 at 11, District Court of Bankruptcy, Manchester, aud. ac.; May 18 at 11, first and fin. div.—*John Blackburn*, Hulme, Lancashire, builder, May 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*G. North*, Manchester, and Rusholme, Lancashire, calico printer, May 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*J. W. Brooke* and *J. Wilson*, Liverpool, merchants, May 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. Barnes Vaughan*, Poulton-cum-Spittal, Cheshire, farmer, May 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Alfred Johnson*, Liverpool, licensed victualler, May 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Duncan Wilmot*, Liverpool, merchant, May 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Chapman*, Old Swan, near Liverpool, licensed victualler, May 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 17 at 11, div.—*Henry Clapham*, Liverpool, woollen draper, May 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*W. Day*, Liverpool, draper, May 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 17 at 11, div.—*Robert D. Evans*, Wrexham, Denbighshire, draper, May 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 17 at 11, div.—*Thos. Hill*, Tremadoc, and *Henry Stock*, Portmadoc, Carnarvonshire, manufacturers of slate goods, May 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Cochran*, Lima, Peru, South America, and *John P. Robertson*, London, merchants, May 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 24 at 11, div.—*John W. Ambrose*, Bangor, Carnarvonshire, stationer, May 17 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*S. G. Fryman*, Rye, Sussex, wine merchant, May 17 at 2, Court of Bankruptcy, London, div.—*Thos. Wood*, Little Queen-st., Holborn, Middlesex, wine merchant, May 17 at half-past 2, Court of Bankruptcy, London, div.—*V. Elkins*, Southampton-place, Euston-square, and High-st., Marylebone, Middlesex, coachsmith, May 17 at 12, Court of Bankruptcy, London, div.—*Jas. Bourne*, Bemmersley, Norton-in-the-Moors, Staffordshire, printer, May 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*C. G. Middleton*, Manchester, soap manufacturer, May 11 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Cephas Savage*, Chesterfield, Derbyshire, builder, May 11 at 11, District Court of Bankruptcy, Manchester, fin. div.—*Henry J. Barker*, Calomanco-mill, Flixton, Lancashire, logwood grinder, May 11 at 12, District Court of Bankruptcy, Manchester, fin. div.—*George Lowe*, Chesterfield, Derbyshire, woollen draper, May 18 at 12, District Court of Bankruptcy, Manchester, first and fin. div.—*James Waddell*, Liverpool, wine merchant, May 15 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph Hindmarsh*, Liverpool, woollen draper, May 15 at 11, District Court of Bankruptcy, Liverpool, div.—*Edmund Arrowsmith*, Burnley, Lancashire, mercer, May 11 at 12, District Court of Bankruptcy, Manchester, and. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph R. Nicholls, Three Tuns Tavern, Oxford-st., Middlesex, tavern keeper, May 15 at 11, Court of Bankruptcy, London.—*John Tuft*, Warwick-road, Paddington, Middlesex, carpenter, May 14 at half-past 12, Court of Bankruptcy, London.—*George M. Horton*, Hatton-garden, Middlesex, jeweller, May 15 at half-past 11, Court of Bankruptcy, London.—*John Robertson*, Grove-place, North Brixton, Surrey, baker, May 17 at 1, Court of Bankruptcy, London.—*Lewis Rudge*, Great Barford, Bedfordshire, apothecary, May 17 at 2, Court of Bankruptcy, London.—*Benj. Banotte*, North Walsham, Norfolk, innkeeper, May 14 at half-past 1, Court of Bankruptcy, London.—*Edward W. Hunt*, Newgate-market, London, victualler, May 17 at 1, Court of Bankruptcy, London.—*Lachlan M'Lauchlan*, Liverpool, merchant, May 15 at 11, District Court of Bankruptcy, Liverpool.—*Henry Hill Spurway*, Tiverton, Devonshire, brewer, May 23 at 11, District Court of Bankruptcy, Exeter.—*Francis Braithwaite*, St. Nicholas, Hereford, apothecary, May 22 at 10, District Court of Bankruptcy, Birmingham.—*Benj. Lowe*, Hill Top, Westbromwich, Staffordshire, miner, May 15 at 11, District Court of Bankruptcy, Birmingham.—*Alfred Easthope*, Wolverhampton, Staffordshire, upholsterer, May 12 at 12, District Court of Bankruptcy, Birmingham.—*John Baker*, Wollaston, Old Swinford, Worcestershire, victualler, May 19 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 11.

W. S. Pearson, Bursalem, Staffordshire, druggist.—*Helen Watts*, widow, St. Luke, Chelsea, Middlesex, out of business.—*Thos. C. Dixon*, Gravesend, Kent, oilman.—*Geo. Dover*, Cheltenham, Gloucestershire, builder.—*Geo. Streeter*, Lisson-grove, Middlesex, draper.—*Edward Hewitt*, Lincoln, miller.—*Henry R. F. Skerratt*, St. Martin's-lane, Charing-cross,

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Middlesex, woollen draper.—*Wm. Hen. Sheldrake*, Ipswich, Suffolk, boot maker.—*James Noble* and *Richard E. Noble*, Down-street, Piccadilly, and Ebury-street, Pimlico, Middlesex, plumbers.

FIATS ANNULLED.

William Gale, Slough, Buckinghamshire, coach builder.—*Thos. Carlill*, Kingston-upon-Hull, grocer.

SCOTCH SEQUESTRATIONS.

Robert Templeman, Leven, Fifeshire, mill spinner.—*James Proudfoot*, Edinburgh, grocer.—*John Keppy*, Edinburgh, tailor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Ralph, Dover, Kent, sexton, April 26 at 10, County Court of Kent, at Dover.—*Thos. G. Yates* and *Alfred Yates*, Ware, Hertfordshire, grocers, April 25 at 3, County Court of Hertfordshire.—*George Sawtell*, Somerton, Somersetshire, saddler, May 2 at 11, County Court of Somersetshire, at Langport.—*Wm. Everitt*, Wisbech St. Peter, Isle of Ely, Cambridgeshire, grocer, May 10 at 4, County Court of Cambridgeshire, at Wisbech.—*Henry Brice*, Halberton, Devonshire, brewer, May 17 at 10, County Court of Devonshire, at Tiverton.—*Robt. Baker*, Dover, Kent, grocer, April 26 at 10, County Court of Kent, at Dover.—*Wm. Muddle*, Dover, Kent, out of business, April 26 at 10, County Court of Kent, at Dover.—*John Dumbell*, Wolverhampton, Staffordshire, watchmaker, April 24 at 12, County Court of Staffordshire, at Wolverhampton.—*Wm. Stanford*, Windsor, Berkshire, shopman to a grocer, May 3 at 10, County Court of Berkshire, at Windsor.—*F. A. Hawkins*, Walsall, Staffordshire, carpenter, April 30 at 12, County Court of Staffordshire, at Walsall.—*George Carpenter*, Exeter, out of business, May 5 at 10, County Court of Devonshire, at Exeter.—*Charles Edwards*, Witton-cum-Twambrooks, Cheshire, publican, May 1 at 11, County Court of Cheshire, at Northwich.—*J. Brook*, Lepton, Yorkshire, manufacturer of fancy goods, May 10 at 10, County Court of Yorkshire, at Huddersfield.—*John H. Warr*, Exeter, mail guard, May 5 at 10, County Court of Devonshire, at Exeter.—*Joseph Iredale*, Huddersfield, Yorkshire, foreman and salesman, May 10 at 10, County Court of Yorkshire, at Huddersfield.—*John Perkins*, Gainsborough, Lincolnshire, harness maker, May 14 at 9, County Court of Lincolnshire, at Gainsborough.—*Philip Watkins*, Brecon, Brecknockshire, plasterer, April 27 at 10, County Court of Brecknockshire, at Brecknock.

The following Persons, who, on their Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 5 at 10, *before Mr. Commissioner* PHILLIPS.

A. Noverre, Portland-place, Clapham-road, Surrey, professor of dancing.—*John Savill*, Brunswick-crescent, Coal Harbour-lane, Camberwell, Surrey, out of business.—*James Nagle*, Moor-street, Soho, Middlesex, licensed victualler.—*J. Rowless*, Pell-street, St. George's in the East, Middlesex, stevedore.—*John Toup Nicolas*, Goswell-road, Middlesex, chemist.

May 7 at 10, *before Mr. Commissioner* LAW.

Henry Pellatt, Southampton-buildings, Holborn, attorney.—*James Tyrrell*, George's-place, Water-lane, Brixton, Surrey, assistant to a cowkeeper.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 7 at 10, *before Mr. Commissioner* LAW.

W. C. Norman, Devonshire-street, Kennington-lane, Surrey, dairyman.—*Titus Spicer*, The Well-walk, St. John's, Hampstead, Middlesex, licensed victualler.—*H. N. Mollwo*, Crown-court, Old Broad-street, London, corn agent.—*Wm. Austin*, Gloster-terrace, Paddington, Middlesex, bricklayer.

May 7 at 10, *before the* CHIEF COMMISSIONER.

Stephen Docwra, Norfolk-street, Chaumert-place, Rye-lane, Peckham, Surrey, beer-shop keeper.—*George Taylor*, Foley-street, Portland-place, Middlesex, out of business.—*J. W. Littlewood*, Farncomb, Godalming, Surrey, attorney at law.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Wiltshire, at SALISBURY, *May 7 at* 11.

G. Mouat, Winterbourne Gunner, never in any business.

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LONDON, APRIL 28, 1849.

It would probably be both an amusing and an instructive inquiry, if one were to examine various subjects of legislation, with a view to ascertain what are the subjects on which legislation can bear with any force, and what are those on which it is wholly or partially powerless; for want of attention to the principle on which legislative power is based has often led, and, in our day, still continually leads, to an enormous waste, not only of legislative labour and acumen—not only to an equal waste of judicial time in the exposition of powerless laws, but to the great waste of public wealth, by reason of the costly endeavours of the executive to do impossible things, and the costly endeavours of the public to escape or baffle the law. We have been led to this subject by the perusal of the extremely amusing debate in the House of Commons of Wednesday last, on the "Bribery at Elections Bill"—a debate in which the unextinguishable vitality of bribery was well described by several of the honourable speakers.

The truth is, legislation is, and probably always will be, nearly, if not wholly, powerless against such sins as bribery. The intention of laws is to protect those who of their own resources would be powerless to prevent or obtain compensation for a wrong. The enforcing of laws depends upon their being supported by the majority of the people, or, in organised communities, by those constituted bodies to whom the constitution has entrusted the exercise of the authority of such majority. Whenever it can be shewn that no particular individual is personally and practically injured, and that the community at large—that body which is termed in an English statesman's phraseology "her Majesty's subjects"—is not injured, or does not feel itself injured at all, or only very indirectly and very remotely, by any particular acts of individuals, however much men may cry out that such acts are bad, legislation will be found powerless to stop the commission of them, for this simple reason, that neither private revenge nor public apprehension is aroused.

In the case of ordinary crime or wrong, there is almost always some individual directly injured; and there is then no difficulty in enforcing laws, except that which results from the force or cunning of the actor in the wrong. If, for instance, I am robbed, or in any minor degree injured, I have a direct interest in enforcing the laws which punish, with an intent to prevent such wrong; and the public at large being indirectly injured in this sense, that every one feels, that, if I am allowed to be injured with impunity, he may be the next person injured, there is nothing to oppose to a strong personal and general interest in enforcing the law, but the power or cunning of the party committing the wrong. But wherever the parties to the act consist not of one positively injuring, and the other positively injured, or wherever the injury is of a kind which does not reflect itself back on the public so as to be felt as an injury to the public at large, then the exercise of legislation becomes useless, because the interest in enforcing any law is languid, and the interest in evading it is, on the contrary, of a most active kind. In such cases as bribery, usury, and the like, there is no individual personally injured, or, at least, thinking himself injured: on the contrary, the parties to the act are both willing; while the public, though calling the thing criminal or improper, is injured, if at all, in a manner so indirect and remote, as really to care but very little about the matter. Hence it is, that all legislation against usury proved abortive, and that all

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legislation against bribery has hitherto proved abortive. If a borrower, at high interest, disliked borrowing even at high interest, or if a briber at an election disliked receiving the bribe, as much as a man dislikes being robbed or beaten, there would be no difficulty in enforcing laws against usury and bribery, or rather such laws would become quite unnecessary. So, if the act of lending me money at a high interest, or giving me a bribe did, in fact, affect the public with a sensible apprehension of an actual mischief, again there would be no difficulty in enforcing the law.

But such is not the state of things in reference to usury and bribery. In the one case, the borrower is as anxious to borrow, notwithstanding the high interest, as the lender to lend at high interest; in the other, the bribee is quite as willing to be bribed, as the candidate, by himself or by his agents, is to bribe*. The public, in either case, has a vague notion that it is injured, though how it scarcely knows, and, therefore, does not much care. Hence, while the parties to the offence, instead of being composed of an actor and a patient, (the latter being anxious to revenge or obtain compensation for his wrong), are composed of a donor and donee, (the one being as glad to receive as the other to give—both, therefore, combining with their utmost cunning to avoid any regulations that may be made to prevent the transaction), is it wonderful—is it not, on the contrary, inevitable—that, under such circumstances, [illegible] transactions? The truth seems to be this—that the Legislature may usefully legislate to prevent acts which work a positive wrong to an individual, stirring up his personal desire of redress, or acts which visibly and positively affect the well-being of society; but it cannot, by any laws, prevent acts depending on a compact between individuals, mutually convenient to the contracting parties, where the mischief resulting from such transactions to the public—if, indeed, there be any mischief—is but remote and indirect.

It is now well understood, that the only effect of the usury laws was to raise the interest of money; the lender having to insure himself not only against the risk arising from the defect in the security itself, but against the risk of the borrower relying upon the law to set aside the whole transaction. So we apprehend the fact to be, and we have no doubt it will, before long, be admitted, that the only effect of the laws against bribery is to raise the price of votes; the voter having, as it were, to insure himself against penalties, as well as to obtain the natural market price of his vote. We are of course assuming that there is such a thing as a venal constituent body, an assumption which is abundantly warranted by the fact of there being so much bribery, in spite of the legislation, as to keep the Legislature, session after session, on the qui vive to prevent it. Now, this being so, there are two modes—and, as we apprehend, two modes only—of dealing with the mischief. The one is to eliminate from every constituency, if it be possible, the venal portion; and, if that be not possible—and it would seem that it is not—then to let it altogether alone, so that the price of votes might acquire no factitious value from the danger accompanying bribery: the evil to the state would then be much less than it is now, by the artificial value which is conferred on votes by legislation impotent for any other purpose.

* This is well shewn by the prevalence of the subterfuges so amusingly detailed by Sir Robert Peel in the debate referred to.

AMENDMENT OF THE LAW OF MARRIAGE.

A question of considerable importance is raised by a bill now before Parliament "to amend and alter the Act of the fifth and sixth Years of King William the Fourth, so far as relates to Marriages within certain of the prohibited Degrees of Affinity," introduced in consequence of the decision in *Reg.* v. *Chadwick*, (12 Jur. 174; 17 Law Journ., N. S., Q. B., 81), where it was held, that marriages between a widower and the sister of his deceased wife were, since the passing of the above statute, absolutely void. By the 1st section it is provided, "that so much of the said recited act as renders any marriage between a man and the sister of his deceased wife, or between a man and the daughter of the brother or sister of his deceased wife, null and void," shall be repealed; and the 2nd section provides, that such marriages, unless in excepted cases, shall not be voidable. Now, as these marriages are forbidden by the old canon law and by the canons of the Church of England, 1603, it is asked, would these marriages, after the passing of this bill, be allowable in the Church of England? The present bill removes all *statutory* prohibitions, and provides that the marriages, if contracted, shall be neither voidable nor void; but it does not remove the *canonical* prohibitions and impediments; and, indeed, scarcely could do so, without assuming the power of a national synod, or of a general council of the Church. The old canon law holds these marriages to be generally unlawful; and those canons, except where contrarient to the common or statute law, or prerogative royal, are in force in this country. (Addison v. Bp. of Chester, Str. 1056). The 99th canon of the Church of England pronounces these marriages to be unlawful and incestuous; and these canons are undoubtedly binding on the clergy. (12 Co. 73; 2 Com. Dig. 484). The *canonical* impediments would, therefore, still remain in operation; and the Church of England would occupy pretty nearly the same position in relation to these marriages as she did before the reign of Henry VIII, and as the Roman Catholic Church in England and Ireland does at this day. Her canons, proprio vigore, would bind all her members; of course, they could not exercise any coercive power over those who were not in her communion. The practice of the Roman Catholic Church in this matter is thus stated by a high dignitary of that Church, (vide First Report of Commissioners, p. 104):—"Such a marriage, of course, is considered unlawful; and a marriage contracted by the parties within these degrees would be null. Supposing that two persons wished to contract such a marriage—that a person, for instance, wished to marry his sister-in-law, no priest could marry him unless he first obtained a dispensation. A dispensation would not be granted upon general grounds, but only upon a particular consideration of the case. If the marriage had been already contracted, it would also be considered null, and a dispensation would also be necessary.—When you say 'unlawful,' you mean unlawful by the law of the Church? Yes.—And when you think proper to dispense with such unlawfulness, you think proper to dispense with a regulation of the Church, and not with a prohibition of Scripture? Certainly.—Then the Commissioners are to understand, that, in your Church, the general prohibition of these marriages is a matter of discipline, and permission to contract such marriages is granted or not, according to what you may think most advantageous and proper? Certainly." By the stat. 25 Hen. 8, c. 21, the power of granting dispensations in any case, *not contrary to the holy Scriptures and the law of God*, where the Pope used formerly to grant them, is given to the Archbishop of Canterbury; which, as Blackstone remarks, is the foundation of his granting special licenses to marry at any place or time, to hold

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two livings, and the like; and on this also is founded the right he exercises of conferring degrees, in prejudice of the two universities. (1 Black. Com. 381). If, therefore, these marriages are by the Church of England held to be prohibited by the authority of the holy Scriptures, and not by ecclesiastical legislation, they will, after the passing of the bill, to all intents and purposes, be as absolutely prohibited to the members of the Church of England as they are by the stat. 5 & 6 Will. 4, c. 54; but if the prohibition should be held to be matter of ecclesiastical discipline merely, and not a perpetual and unchangeable injunction of the divine law, binding equally on Jews and Christians, the power of dispensation would pass to the Archbishop of Canterbury. *This question* would probably render it necessary that the point should be submitted to the determination of Convocation; for, from the evidence taken before the Commissioners, it appears that a wide difference of opinion prevails upon it among the bishops and clergy of the Church of England and Ireland. By the old canon law these marriages were treated as a matter of ecclesiastical discipline; and everything would depend upon whether the 99th canon of the Church of England was held to be declaratory of the old canon law, or an express and unequivocal declaration, that marriage between a widower and the sister of his deceased wife was prohibited in Leviticus; and then, whether that prohibition (assuming it to exist) was intended to be, like the moral law, of perpetual and general application, or merely derived its binding force over Christians from the canonical authority of the Church.

This much appears certain, that the present bill would not have the effect of altering the canons of the Church of England, which forbid these marriages, and in the Church of England they would still be prohibited absolutely, unless, indeed, it should be held, that the case was within 25 Hen. 8, c. 21, which transfers the dispensing power of the Pope, in matters of ecclesiastical discipline, to the Archbishop of Canterbury.

The bill provides, that all marriages heretofore contracted within the degrees above mentioned, shall be valid to all intents and purposes: and, after the passing of the act, all Protestant Dissenters, who hold that such marriages are not prohibited by Scripture; Catholics, who shall have obtained an ecclesiastical dispensation; and Jews, who, according to the evidence of the Chief Rabbi, (vide Rep. of Com. 152), not only hold that such marriages are not prohibited, but are distinctly understood to be permitted by the Levitical code, will be able to contract such marriages.

The Commissioners, in the Report to her Majesty, on which the present bill is founded, state their opinion strongly, that the stat. 5 & 6 Will. 4, c. 54, has failed in its object, and urge very strong moral reasons against the policy of the prohibition. And they add, "The doubts which exist as to the validity of these marriages, when *celebrated abroad*, under a variety of circumstances, add another evil consequence to those which we have enumerated*." In nearly all the continental states of Europe, Protestant as well as Roman Catholic, these marriages are, by dispensation or otherwise, permitted; and they are lawful and valid in the United States of America; (vide Story's Conflict of Laws, c. v, s. 115): and it seems obviously to be desirable to remove the statutory prohibitions which are found to create such confusion and evil, and to leave each case, as a matter of ecclesiastical discipline, to each church and religious community, to be dealt with according to their interpretation of the Scriptures, or the canons of the Christian Church.

* The Commissioners were—The Lord Bishop of Lichfield, Right Hon. J. S. Wortley, M.P., Right Hon. Stephen Lushington, D.C.L., Right Hon. A. Blake, Sir Edward Vaughan Williams, A. Rutherford, Esq., M.P., Lord Advocate for Scotland.

London Gazettes.

TUESDAY, April 24.

BANKRUPTS.

FREDERICK TRUE, Downham-market, Norfolk, ironmonger and ironfounder, dealer and chapman, May 4 at half-past 1, and June 5 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Lindsay & Mason, 26, Gresham-street.—Fiat dated March 24.

JOHN LOUSTAU, Crutched-friars, London, wine merchant, dealer and chapman, May 1 at half-past 11, and May 25 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wilson, 13, Furnival's-inn, Holborn.—Fiat dated April 10.

WILLIAM HOLLIDAY, Chatham, Kent, carpenter and builder, May 7 at 1, and June 11 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Randall, Token-house-yard.—Fiat dated April 2.

THOMAS MARSOM, South-place, Finsbury, Middlesex, dealer in horses, May 2 at 2, and June 7 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Smith, Barnard's-inn.—Fiat dated April 21.

WILLIAM PULLEN, Bradford, Yorkshire, druggist, dealer and chapman, May 17 and June 1 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Pres, Leeds; Capes & Stuart, Gray's-inn, London.—Fiat dated April 20.

ANDREW PEACOCK, Liverpool, corn merchant and flour dealer, May 10 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Greatley, Liverpool; Smith, Lincoln's-inn-fields, London.—Fiat dated April 16.

SAMUEL ROBERTS, Llanrhaidr-yn-Mochnant, Denbighshire, innkeeper, May 4 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Roberts & Thomas, Bangor, Pugh & Son, Essex-street, Strand, London.—Fiat dated April 18.

WILLIAM LAIRD, Birkenhead, Cheshire, merchant, May 4 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Laces & Co., Liverpool; Sharpe & Co., Bedford-row, London.—Fiat dated April 19.

CHARLES WILSON, Liverpool, dealer in railway shares, dealer and chapman, May 8 at 11, and May 29 at 2, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Littledale & Bardswell, Liverpool; Vincent, Temple, London.—Fiat dated April 13.

JAMES BROSTER SMITH, Liverpool, joiner and builder, May 17 and June 1 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Roby, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated April 19.

JOHN STEELE, Newcastle-upon-Tyne, innkeeper, dealer and chapman, May 4 at half-past 10, and June 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Bownas, Newcastle-upon-Tyne; Devonshire, 29, Austin-friars, London.—Fiat dated April 13.

MEETINGS.

Wm. Ward and *John Ward*, Leadgate and Iveston, Durham, grocers, May 7 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*J. Hale* the younger, Woodnewton, near Oundle, Northamptonshire, baker, May 17 at half-past 11, Court of Bankruptcy, London, aud. ac.—*David Bolton*, Kingston-upon-Hull, corn merchant, May 16 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and div.—*Henry Downing*, Smethwick, Harbourne, Staffordshire, ironmaster, May 16 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Henry Moseley* and *James B. Murphy*, Derby, carvers, May 25 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Sarah Wilcke*, Fore-street, Cripplegate, London, wholesale milliner, May 17 at half-past 1, Court of Bankruptcy, London, div.—*James Connell*, Stanisby-road, East India-road, Poplar, Middlesex, timber merchant, May 17 at 11, Court of Bankruptcy, London, div.—*Jos. Whitmore*, Stockport, Cheshire, pawnbroker, May 17 at 2, Court of Bankruptcy, London, div.—*William Wilson*, Fenchurch-street, London, and Limehouse, Middlesex, merchant, May 17 at 1, Court of Bankruptcy, London, div.—*Henry Hodgkins*, Birmingham, shoemaker, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 29 at 10, fin. div.—*G. T. Rollason*, Birmingham, glass dealer, May 22 at 10, District Court of Bankruptcy, Birmingham,

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aud. ac.; May 29 at 10, fin. div.—*Thos. Ryland* and *William L. Ryland*, Birmingham, Britannia metal workers, May 15 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 22 at 10, fin. div.—*Charles H. Huskinson*, Birmingham, licensed victualler, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 29 at 10, div.—*Alex. M'Naughtane Paterson*, *John Walker*, *James Boydell*, and *Charles Blayney T. Roper*, Kingswinford, Staffordshire, iron founders, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; at 11, pr. d.; May 29 at 10, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas White, Cornhill, London, chemist, May 16 at half-past 12, Court of Bankruptcy, London.—*John De Levante*, Wood-street, London, shirt maker, May 16 at 11, Court of Bankruptcy, London.—*Peter Thompson* the elder, Osnaburgh-place, New-road, St. Pancras, and Commercial-road, Limehouse, Middlesex, carpenter, May 16 at 12, Court of Bankruptcy, London.—*Josee Badcock*, East Ilsley, near Newbury, Buckinghamshire, draper, May 17 at 12, Court of Bankruptcy, London.—*J. Hawken*, Duke-street, Lincoln's-inn-fields, Middlesex, builder, May 15 at 2, Court of Bankruptcy, London.—*Wm. Hammerton*, Kingston-upon-Hull, tinman, May 16 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*Thomas Thompson*, Manchester, merchant, May 17 at 12, District Court of Bankruptcy, Manchester.—*Wm. Miles*, Worcester, stockbroker, May 24 at 12, District Court of Bankruptcy, Birmingham.—*Henry Newton*, Northfield, Worcestershire, butcher, May 19 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 15.

Wm. Bedells, Leicester, general dealer.—*Geo. A. Cawse*, [illegible], Middlesex, builder.—*John M. Hannay*, Birkenhead, Cheshire, stockbroker.—*R. W. Smiles*, Blackburn, Lancashire, bookseller.—*John Carter*, Liverpool, merchant.—*John Podmore*, Tunstall, Wolstanton, Staffordshire, grocer.—*Daniel Boit*, Bristol, sharebroker.—*Thomas Barker*, Bream's-buildings, Chancery-lane, Middlesex, manufacturing perfumer.

FIAT ANNULLED.

Joseph Pilgrim, Bethnal-green, and Back-lane-road, Shadwell, Middlesex, publican.

PARTNERSHIP DISSOLVED.

James Bourdillon, *James Bourdillon* the younger, and *Stafford Bourdillon*, Great Winchester-street, London, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Jos. T. Crawford & Co., Glasgow, machine manufacturers.—*Joseph Groves*, Inverness, auctioneer.—*John Walker*, Coatbridge, grocer.—*Alex. Morrison*, Stannergate, near Dundee, deceased.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Caldwell, Norwich, commission agent, May 11 at 10, County Court of Norfolk, at Norwich.—*Fras. I. Lovell*, Norwich, hair dresser, May 11 at 10, County Court of Norfolk, at Norwich.—*Wm. White*, Cardiff, Glamorganshire, butcher, May 9 at 10, County Court of Glamorganshire, at Cardiff.—*Frances Bate*, widow, Harborough Magna, near Rugby, Warwickshire, out of business, May 25 at 10, County Court of Warwickshire, at Rugby.—*W. H. Boynes*, Staindrop, Durham, land surveyor, May 17 at 10, County Court of Durham, at Barnard Castle.—*Thomas Batchelor*, Woolscot, near Dunchurch, Warwickshire, coal dealer, May 25 at 10, County Court of Warwickshire, at Rugby.—*C. H. Nicholls*, Chester, out of business, May 7 at 10, County Court of Flintshire, at Mold.—*Thos. Colley*, Shelton, Staffordshire, joiner, April 26 at 10, County Court of Staffordshire, at Hanley.—*Chas. Goodall*, Newcastle-under-Lyme, Staffordshire, out of business, April 25 at 10, County Court of Staffordshire, at Newcastle-under-Lyme.—*Thomas White*, Horncastle, Lincolnshire, tailor, May 10 at 10, County Court of Lincolnshire, at Horncastle.—*Richard Bennett*, Yeolmbridge, Werrington, Devonshire, blacksmith, May 30 at 11, County Court of Cornwall, at Launceston.—*David Pepper*, Liverpool, grocer, April 30 at 10, Liverpool District County Court, at Liverpool.—*W. Hyde*, Bootle, near Liverpool, engineer, April 30 at 10, Liverpool District County Court, at Liverpool.—*Joseph Hardwick*, Liverpool, bookkeeper, April 30 at 10, Liverpool District County Court, at Liverpool.—*J. W. Mills*, North Shields, Northumberland, joiner, May 14 at 10, County Court of Northumberland, at North Shields.—*Richard Rutter*, Tunstall, Wolstanton, Staffordshire, miller, April 26 at 10, County Court of Staffordshire, at Hanley.

The following Persons, who, on their Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 8 *at* 11, *before Mr. Commissioner* HARRIS.

James Cock, Coburg-terrace, Horseferry-road, St. John's, Westminster, Middlesex, grocer.—*Edw. Hendrick*, Windsor-terrace, Vauxhall-road, Pimlico, Middlesex, watch maker.—*Fred. Blakesley*, Quadrant, Regent-st., Middlesex, portmanteau maker.—*Robt. Sutton*, Bromley, Kent, butcher.

May 9 *at* 10, *before Mr. Commissioner* LAW.

Wm. Maskell, Margaret-st., Haggerston, Hackney-road, Middlesex, butcher.

Saturday, April 21.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John S. Pardy, London-st., Fitzroy-sq., Middlesex, stable keeper, No. 60,457 T.; Geo. H. Taylor, assignee.—*Edward Williams*, Market-row, Oxford-market, Middlesex, shoemaker, No. 60,505 T.; Wm. A. Cogar, assignee.—*Thomas Bradshaw*, Strangeways, Manchester, licensed victualler, No. 70,585 C.; George Lambert, assignee.—*Anthony Blanchard*, Seaham Harbour, Durham, miller, No. 70,591 C.; Robert Alderton and John Clark, assignees.—*George Wm. Beckett*, Great Yarmouth, Norfolk, boot maker, No. 70,781 C.; Jas. Swanston Cobb, assignee.—*James Kelly*, Liverpool, carter, No. 70,756 C.; Michael Aylward, assignee.—*William Ray*, Bloomsbury-market, Middlesex, coal merchant, No. 60,549 T.; Chas. E. Lewis, assignee.

Saturday, April 12.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Armstrong, Boarded-entry, New Gravel-lane, Shadwell, Middlesex, stonemason: in the Debtors Prison for London and Middlesex.—*Charles Alderton*, Coppice-row, Clerkenwell, Middlesex, turner: in the Queen's Prison.—*A. Boggia*, Exmouth-st., Spa-fields, Middlesex, bird-cage maker: in the Debtors Prison for London and Middlesex.—*Fred. Serle*, St. Mary-axe, London, bricklayer: in the Debtors Prison for London and Middlesex.—*Geo. Blackstone*, Upper Church-st., Chelsea, Middlesex, waiter at an hotel: in the Debtors Prison for London and Middlesex.—*Jas. Burnell*, Hart-street, Covent-garden, Middlesex, cab master: in the Debtors Prison for London and Middlesex.—*Thomas Henry Thompson*, Hawley-crescent, Hampstead-road, St. Pancras, Middlesex, railway policeman: in the Debtors Prison for London and Middlesex.—*Francis Allan*, Cheyne-row, Chelsea, Middlesex, pianoforte maker: in the Debtors Prison for London and Middlesex.—*Lewis Flatow*, Charles-street, Haymarket, Middlesex, chiropodist: in the Debtors Prison for London and Middlesex.—*Calvin Martin*, Woburn-buildings, Tavistock-sq., Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*John Fleming*, Ratcliff-highway, Middlesex, optician: in the Queen's Prison.—*Aug. F. Ford*, Union-st., Southwark, Surrey, shoemaker: in the Gaol of Horsemonger-lane.—*George Cunningham*, London-wall, a London hawker for the sale of Irish linens: in the Debtors Prison for London and Middlesex.—*Fred. W. D. Serle*, St. Mary-axe, London, bricklayer: in the Debtors Prison for London and Middlesex.—*Thos. Murhell Griffith*, Ash, Whitechurch, Shropshire, gentleman: in the Gaol of Shrewsbury.—*T. Smith*, Halifax, Yorkshire, leather factor: in the Gaol of York.—*John Clark*, Colne, Lancashire, grocer: in the Gaol of Lancaster.—*P. Gibson*, Houghton-le-Spring, Durham, grocer: in the Gaol of Durham.—*John M'Alister*, Liverpool, car driver: in the Gaol of Lancaster.—*Joseph Routledge*, Kirkdale, Liverpool, licensed victualler: in the

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Gaol of Lancaster.—*William Rigge*, Beswick, Manchester, surgeon: in the Gaol of Lancaster.—*William Thompson*, Monkwearmouth Shore, Durham, coal fitter: in the Gaol of Durham.—*S. Williams*, Swanlow, near Winsford, Cheshire, labourer: in the Gaol of Lancaster.—*Henry Astley*, Blackburn, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Thos. Bates*, Manningham, near Bradford, Yorkshire, innkeeper: in the Gaol of York.—*Joseph Buckman*, Bethersden, Kent, farm bailiff: in the Gaol of Maidstone.—*John Barritt*, Greengate, Salford, Lancashire, butcher: in the Gaol of Lancaster.—*Rich. Baynes*, Liverpool, manager to a baker: in the Gaol of Lancaster.—*Stow Ostler*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Augustin Sayer*, Canterbury, Kent, plasterer: in the Gaol of Maidstone.—*John Smith*, Bushey, Hertfordshire, agricultural labourer: in the Gaol of Hertford.—*Jonathan Swallow*, Lockwood, near Huddersfield, Yorkshire, merchant: in the Gaol of York.—*J. Addison*, Great Ouseburn, near Boro'bridge, Yorkshire, corn miller: in the Gaol of York.—*Edward Preston Alcock*, Strangeways, Manchester, licensed victualler: in the Gaol of Lancaster.—*Wm. Bretton* the younger, Thaxted, Essex, farmer: in the Gaol of Springfield.—*Thos. Bayley*, Low Moor, Clitheroe, Lancashire, cordwainer: in the Gaol of Lancaster.—*John Booth*, Pule Nick, Northowram, near Halifax, Yorkshire, shoemaker: in the Gaol of York.—*James Bird*, Bury St. Edmund's, Suffolk, butcher: in the Gaol of Bury St. Edmund's.—*Jos. Clegg*, Lancaster, in no business: in the Gaol of Lancaster.—*Ed. Gartside Cowper*, New Delph, Saddleworth, Yorkshire, auctioneer: in the Gaol of York.—*James Dillon*, York, beer seller: in the Gaol of York.—*Batty Easton*, Leeds, Yorkshire, horse dealer: in the Gaol of York.—*Thos. Forbes*, Prestwick, near Manchester, plumber: in the Gaol of Lancaster.—*John Halstead*, Lancaster, butcher: in the Gaol of Lancaster.—*Wm. Wood Horsfield*, Dewsbury, Yorkshire, linen draper: in the Gaol of York.—*Edwin Jennings*, Leeds, Yorkshire, plane maker: in the Gaol of York.—*Robert Sawkill* the younger, Stokesley, Yorkshire, flour dealer: in the Gaol of York.—*Jas. Wood*, Manchester, baker: in the Gaol of Lancaster.—*Wm. Bedford*, Gildersome, near Leeds, Yorkshire, coal agent: in the Gaol of York.—*William Brown Baker*, The Shambles, York, pork butcher: in the Gaol of York.—*Edwin Trevena Coulton*, Deal, Kent, comedian: in the Gaol of Dover.—*Wm. Bretton* the elder, Great Easton, Essex, farmer: in the Gaol of Chelmsford.—*Charles Herridge*, Church Croft, Hungerford, Berkshire, farmer: in the Gaol of Reading.—*Elizabeth Jowett*, Westgate, Bradford, Yorkshire, domestic servant: in the Gaol of York.—*Samuel Lumb*, Leeds, Yorkshire, auctioneer: in the Gaol of York.—*John Howard*, Gainsborough, Lincolnshire, hair dresser: in the Gaol of Lincoln.—*Robert Lees*, Oldham, Lancashire, corn dealer: in the Gaol of Lancaster.—*John M'Glade*, Liverpool, nail manufacturer: in the Gaol of Lancaster.—*James Bradley Wardle*, Liverpool, clerk in the Liverpool post-office: in the Gaol of Lancaster.—*Simon Mocklar*, Liverpool, cooper: in the Gaol of Lancaster.—*Peter M'Lean*, Liverpool, master of the brig Woodman, lying in the Prince's Dock, Liverpool: in the Gaol of Lancaster.—*Ebenezer Heap*, Chapel Field Works, Ardwick, Manchester, dyer: in the Gaol of Lancaster.—*B. Myers*, Nether-green, Woodhouse Carr, near Leeds, Yorkshire, dyer: in the Gaol of York.—*Robert Caldecott*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Geo. Eastburn*, Woodhouse Carr, near Leeds, Yorkshire, dyer: in the Gaol of York.—*Geo. Hayward*, Downend, Gloucestershire, labourer: in the Gaol of Gloucester.—*Edmund Clarke*, Upton, Norfolk, labourer: in the Gaol of Norwich.—*David Davies*, Pontneath-vaughan, Breconshire, tailor: in the Gaol of Cardiff, Glamorganshire.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 8 *at* 11, *before Mr. Commissioner* PHILLIPS.

Gabriel Powell, Ashford-st., Hoxton, Middlesex, carpenter.—*George Septimus Simpson*, Trafalgar-square, Middlesex, out of business.—*Wm. Jones*, Eyre-street-hill, Leather-lane, Hatton-garden, Middlesex, ginger beer manufacturer.—*Jeremiah Egerton*, Cowley-place, Cowley-road, North Brixton, Surrey, Daguerreotype artist.

May 9 *at* 10, *before Mr. Commissioner* LAW.

Henry Godfrey, Milton-road, Milton, Kent, carpenter.—*Elias Stone Treby*, Wenlock-terrace, Wenlock-road, City-road, Middlesex, plasterer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, *May* 9.

Abraham Evans, Merthyr Tydfil, licensed victualler.—*S. Jones*, Tydvil's Well, Merthyr Tydfil, grocer.—*David Davies*, Pontneath-vaughan, Breconshire, tailor.

At the County Court of Kent, at MAIDSTONE, *May* 8 *at* 12.

Jos. Buckman, Bethersden, farm bailiff.—*Augustin Sayer*, Canterbury, plasterer.—*Alfred Bourne*, Ashford, out of business.—*George Coles* the younger, Milton, next Gravesend, coach painter.

At the County Court of Gloucestershire, at BRISTOL, *May* 9 *at* 11.

George Gibson, Bristol, in no business.

At the County Court of Durham, at DURHAM, *May* 9.

Thomas Tindle, South Shields, ship owner.—*Thomas Stockdale*, Sunderland near the Sea, tailor.—*Thomas Charlton*, Stockton, banker's clerk.—*Philip Gibson*, Houghton-le-Spring, grocer.—*Leopold Anton Victor Rudolphi*, Sunderland near the Sea, out of business.

MEETING.

John Long, Swaffham, Norfolk, carpenter, May 9 at 11, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.

FRIDAY, APRIL 27.

BANKRUPTS.

JOHN BENJAMIN DAINES and EDWARD BRADDOCK, Farringdon-street, London, glass and lead merchants, dealers and chapmen, (the said John Benjamin Daines now residing at Manor-grove, Hatcham New-town, Old Kent-road, Surrey, and the said Edward Braddock being now a prisoner for a debt in the Debtors Prison for London and Middlesex), May 4 at 12, and June 12 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Paxon, 43, Lincoln's-inn-fields.—Fiat dated April 19.

HUGH HILL, Prospect-place, Old Kent-road, Surrey, coach broker, dealer and chapman, May 9 at 11, and June 8 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Holmer, jun., 120, Cheapside.—Fiat dated April 20.

ISAAC JONES and MARY BROWNE, High-row, Knightsbridge, Middlesex, lead and glass merchants, dealers and chapmen, May 9 at half-past 12, and June 7 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Fiat dated April 24.

ARTHUR OSBORNE, Reading, Berkshire, linen draper, dealer and chapman, May 5 at 12, and June 2 at half-past 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Smith, Lincoln's-inn-fields.—Fiat dated April 24.

SIR GEORGE RICH, Knt., Fenchurch-st., London, corn dealer, dealer and chapman, May 14 at 2, and June 11 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Wilde, Union-court, Broad-street.—Fiat dated April 25.

WILLIAM WORRALL BATCHELOR, Worcester, woollen draper and tailor, dealer and chapman, May 12 and June 16 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Corbett, Worcester; Wright, Birmingham; White & Co., Bedford-row, London.—Fiat dated April 24.

JOSHUA METCALFE, New Malton, Yorkshire, corn and coal merchant, grocer, tea dealer, and tallow chandler, dealer and chapman, May 15 and June 4 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Jagger, New Malton, Yorkshire: Harle & Clarke, Leeds; Finch & Co., Lincoln's-inn-fields, London.—Fiat dated April 21.

WILLIAM EDWARD FERGUSSON, Macclesfield, Cheshire, surgeon, apothecary, dealer and chapman, May 12 and June 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Parrott & Co., Macclesfield; Parkinson, Argyle-street, London.—Fiat dated April 21.

LEWIS LOW WHITTLE, Bolton, Lancashire, grocer, dealer and chapman, May 8 and June 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Heywood, Manchester; Milne & Co., Temple, London.—Fiat dated April 16.

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BENJAMIN THOMPSON, Derby, woollen draper, May 11 and June 8 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Pickering, Derby; Motteram & Co., Birmingham.—Fiat dated April 19.

JOHN TAVERNER, Nuneaton, Warwickshire, draper, dealer and chapman, May 16 and June 9 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Smith, Birmingham.—Fiat dated April 18.

MEETINGS.

Wm. Lionel Felix Tollemache, Keston and Locks Bottom, Kent, and Penton-lodge, near Andover, Hampshire, horse dealer, May 11 at 11, Court of Bankruptcy, London, pr. d. —*Hudson Cranston*, Sunderland, Durham, confectioner, May 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Rob. Mansell*, Newent, Gloucestershire, timber merchant, May 15 at 12, District Court of Bankruptcy, Bristol, last ex.—*Hen. Preston Wills*, High Holborn, Middlesex, victualler, May 21 at 11, Court of Bankruptcy, London, aud. ac. —*George Davison*, Princes-st., Turk-st., Bethnal-green, Middlesex, leather seller, May 21 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Lomas*, Norwich, saw maker, May 21 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Loisel* the younger and *Alfred Edan*, Hatton-garden, Middlesex, foreign provision merchants, May 21 at 1, Court of Bankruptcy, London, aud. ac.—*Jos. Johnson* the younger, Uxbridge, Middlesex, and Iver, Buckinghamshire, common carrier, May 29 at 12, Court of Bankruptcy, London, aud. ac.—*Sam. Savage Woollatt*, Holborn-hill, London, draper, May 29 at 12, Court of Bankruptcy, London, aud. ac.—*Ed. Gibson*, St. Alban's, Hertfordshire, banker, May 29 at 1, Court of Bankruptcy, London, aud. ac.—*Benj. Scott*, Bath, Somersetshire, seedsman, May 25 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Waters*, *Arthur Jones*, and *David Jones*, Carmarthen, bankers, May 22 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*John Bateman*, Cirencester, Gloucestershire, blacksmith, May 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*B. Cavanna*, Wootton Bassett, Wiltshire, clothier, May 25 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Geo. Morris*, Garnvach, near Nantyglo, Monmouthshire, grocer, May 18 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac. —*Francis Robert Stradling*, Glastonbury, Somersetshire, apothecary, June 1 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Christopher Pope* the younger, and *Richard Pope*, Newport, Monmouthshire, ship brokers, May 18 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.—*William Plumley*, Bristol, poulterer, May 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Francis Cook Matthews*, Great Driffield, Yorkshire, manufacturing chemist, May 21 at 12, District Court of Bankruptcy, Leeds, aud. ac.; May 22 at 12, div.—*Wm. Thorpe*, Goole, Yorkshire, stone mason, May 22 at 12, District Court of Bankruptcy, Leeds, aud. ac.; at 1, first and fin. div.—*Wm. Lee Adams*, Selby, Yorkshire, clock maker, May 21 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*D. Evans*, jun., Liverpool, coach builder, May 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Ingram*, Liverpool, merchant, May 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; May 23 at 12, div.—*John Wilkinson*, Stockton-upon-Tees, Durham, wharfinger, May 22 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; May 23 at 11, fin. div.—*Wm. Smith* the younger, Stockton, Durham, manufacturer of earthenware, May 22 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James Jackson Ferens* and *Robinson Ferens*, Durham, drapers, May 22 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Chas. Bertram* and *Wm. Parkinson*, Newcastle-upon-Tyne, merchants, May 22 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Hugh Cowan*, Stockton-upon-Tees, Durham, tailor, May 25 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Rich. Wilson*, Hartlepool, Durham, shipowner, May 25 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Christopher J. Spence*, Stockton-upon-Tees, Durham, timber merchant, May 22 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Richardson*, Newcastle-upon-Tyne, glass manufacturer, May 23 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Richard English*, Sunderland, Durham, wine merchant, May 23 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Baldock*, Nottingham, grocer, May 18 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Nicholas Temperley*, King William-st., London, coal merchant, and Newcastle-upon-Tyne, draper, May 18 at 1, Court of Bankruptcy, London, fin. div.—*William B. J. Brandon*, Trinity-square and Lock's-fields, Newington, Surrey, manufacturer, May 18 at 1, Court of Bankruptcy, London, div.—*Hen. Swan*, Great Knight Rider-street, London, and Walcot-place, Hackney, Middlesex, money scrivener, May 18 at half-past 1, Court of Bankruptcy, London, div.—*John S. Gomme*, Angel-terrace, Hammersmith, Middlesex, cabinet maker, May 18 at 1, Court of Bankruptcy, London, div.—*John Parrish*, High-st., Newington, Surrey, draper, May 21 at half-past 11, Court of Bankruptcy, London, div.—*Chas. B. Roe* and *Thos. J. Blachford*, Newport, Isle of Wight, Southampton, bankers, May 21 at half-past 11, Court of Bankruptcy, London, div. sep. est. of *T. J. Blachford*.—*James Bisshopp*, Westburton, Bury, Sussex, market gardener, May 21 at 12, Court of Bankruptcy, London, div.—*Wm. Elliott*, Petworth, Sussex, corn merchant, May 21 at 11, Court of Bankruptcy, London, div.—*Fred. C. Gray*, Melicent-cottages, Forest-row, Dalston, Middlesex, boarding-house keeper, May 21 at 12, Court of Bankruptcy, London, div.—*James Gilbert*, Paternoster-row, London, bookseller, May 17 at 1, Court of Bankruptcy, London, div.—*Robt. Brett*, Stoke Bardolph, Gedling, Nottinghamshire, corn factor, May 18 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and fin. div.—*Edw. Perks*, Redditch and Stoke Mills, Worcestershire, needle manufacturer, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 29 at 10, div.—*Wm. Reden*, Evelith, Shiffnal, Shropshire, miller, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 29 at 10, div.—*John V. Barber*, Walsall, Staffordshire, banker, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 29 at 10, div.—*Henry Rich. Benbow*, Malvern Wells, Worcestershire, veterinary surgeon, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 29 at 10, div.—*Thos. L. Walker*, *James M. Wathew*, and *Edw. Wm. Kelsall*, Nuneaton, Warwickshire, brickmakers, May 22 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 29 at 10, first and fin. div. sep. est. of *Jas. M. Wathew*.—*Joseph Wenman*, Birkenhead, Cheshire, wine merchant, May 28 at 11, District Court of Bankruptcy, Liverpool, div.—*Thos. P. Pino*, Liverpool, ship chandler, May 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Chas. H. Purnell*, Liverpool, coal merchant, May 22 at 11, District Court of Bankruptcy, Liverpool, div.—*John Green*, Liverpool, wine merchant, May 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Mary Ann Owens*, Toxteth-park, near Liverpool, victualler, May 21 at 11, District Court of Bankruptcy, Liverpool, div. —*Jos. W. Brooke* and *Jes. Wilson*, Liverpool, merchants, May 22 at 12, District Court of Bankruptcy, Liverpool, div. —*Thos. Parr*, Liverpool, plumber, May 22 at 11, District Court of Bankruptcy, Liverpool, div.—*James Bell*, South Shields, Durham, ship broker, May 24 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Alex. M'Donald*, Newcastle-upon-Tyne, confectioner, May 24 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. —*Henry Penman*, Sunderland, Durham, ironmonger, May 24 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Rich. Yates*, Manchester, innkeeper, May 24 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Robert Welsh* and *Geo. Welsh*, Liverpool, brokers, May 22 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Mary Garrad and *Ebenezer King*, Colchester, Essex, milliners, May 18 at 12, Court of Bankruptcy, London.—*Henry Loisel* the younger and *Alf. Edan*, Hatton-garden, Middlesex, foreign provision merchants, May 21 at 1, Court of Bankruptcy, London.—*Chas. S. Hooper*, Lawrence Pountney-lane, London, merchant, May 19 at 11, Court of Bankruptcy, London.—*Thomas Manson*, King William-street, London, underwriter, May 19 at 1, Court of Bankruptcy, London.—*John Ellison*, Cricklade, Wiltshire, grocer, May 24 at 11, District Court of Bankruptcy, Bristol.—*Jas. Little*, Walcot, Somersetshire, draper, May 22 at 11, District Court of Bankruptcy, Bristol.—*William Scott*, Exeter, ironmonger, May 31 at 11, District Court of Bankruptcy, Exeter.—*John Dacie Jeffery*, Sidmouth, Devonshire, apothecary, May 23 at 11, District Court of Bankruptcy, Exeter.—*G. Hosse*,

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Northwich, Cheshire, innkeeper, May 21 at 12, District Court of Bankruptcy, Liverpool.—*Thomas Cragg*, Blackpool, Layton-with-Warbreck, Lancashire, grocer, May 18 at 11, District Court of Bankruptcy, Liverpool.—*Robt. Farrall*, Toxteth-park, Lancashire, flour dealer, May 18 at 11, District Court of Bankruptcy, Liverpool.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 18.

Jas. Barnett and *Thos. Hancock*, Conduit-street, Regent-street, Middlesex, ladies' boot makers.—*Thos. Bushell* and *Geo. Bushell*, Bristol, masons.—*J. Gurman*, Bitterne, South Stoneham, Southampton, builder.—*A. Harris*, Dursley, Gloucestershire, wool broker.—*George Baker*, Newport, Monmouthshire, grocer.—*J. B. Scott*, Denham Springs, near Chorley, Lancashire, and Manchester, calico printer.—*Geo. Addison*, Tipton, Staffordshire, builder. — *Thomas Dixon*, little Dawley, Shropshire, grocer.—*James Dowson*, Colchester, Essex, licensed victualler.—*Wm. Brooks*, Great Queen-street, Lincoln's-inn-fields, Middlesex, carver and gilder.—*Wm. A. Holden*, Preston, Lancashire, tobacconist.—*John Forster*, Shafto, Hartburn, Northumberland, banker.—*Wm. Roden*, Evelith, Shiffnal, Shropshire, miller.—*John F. Taylor*, Bakewell, Derbyshire, grocer.—*Chas. H. Huskinson*, Birmingham, licensed victualler.—*John R. Long*, Bath, Somersetshire, linen draper.—*John Oliver*, City-road, Middlesex, cabinet manufacturer.—*Paul Garbanati*, Newman-st., Oxford-street, Middlesex, carver.—*Levi Davis*, Redditch, Worcestershire, needle manufacturer.—*Robert Kay*, Tottington Lower End, Lancashire, corn dealer.—*Wm. Towns*, Kingston, Surrey, farmer.—*Wm. Cradock*, Truro, Cornwall, auctioneer.

PARTNERSHIP DISSOLVED.

Edward Downes, *Thomas Gamlen*, and *Charles Davison Scott*, Furnival's-inn, Middlesex, attornies and solicitors, (by the retirement of Edward Downes, and the business will be carried on by the said Thomas Gamlen & Charles Davison Scott, under the firm of Gamlen & Scott).

SCOTCH SEQUESTRATIONS.

Alex. Copland, deceased, Rhonepark, merchant.—*Colin Frame*, Glasgow, bookbinder.—*James Dundas*, Dundee, iron merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Worth, Weston, Lincolnshire, out of business, May 9 at 12, County Court of Lincolnshire, at Spalding.—*W. Berry*, Ashford, Devonshire, superannuated officer of her Majesty's Excise, May 8 at 10, County Court of Devonshire, at Barnstaple.—*Luke Settle*, Slead Syke, Hipperholme-cum-Brighouse, Halifax, Yorkshire, whitesmith, May 9 at 10, County Court of Yorkshire, at Halifax.—*Thomas Errington*, Great Yarmouth, Norfolk, carver and gilder, May 8 at 10, County Court of Norfolk, at Great Yarmouth.—*E. Smith*, Hoo, Kent, butcher, May 10 at 10, County Court of Kent, at Rochester.—*Wm. Seamark*, Cliffe, Kent, wheelwright, May 10 at 10, County Court of Kent, at Rochester.—*Wm. K. Campbell*, Birmingham, attorney, May 7 at 2, County Court of Warwickshire, at Birmingham.—*Richard Reeves*, Abingdon, Berkshire, coachmaker, May 19 at 10, County Court of Berkshire, at Abingdon.—*Fras. Scott*, Manchester, dealer in hardware, May 4 at 1, County Court of Lancashire, at Manchester.—*James Wreay*, Manchester, provision dealer, May 4 at 1, County Court of Lancashire, at Manchester.—*R. Land*, Stoke Ferry, near Brandon, Norfolk, grocer, May 11 at 10, County Court of Norfolk, at Norwich.—*Charles Martins*, Shottesham All Saints, Norfolk, shopkeeper, May 11 at 10, County Court of Norfolk, at Norwich.—*John Dippie*, Scarborough, Yorkshire, publican, May 10 at 10, County Court of Yorkshire, at Scarborough. — *Wm. Calvert*, Scarborough, Yorkshire, whitesmith, May 10 at 10, County Court of Yorkshire, at Scarborough.—*George Pool*, Wellington, Somersetshire, plumber, May 9 at 1, County Court of Somersetshire, at Wellington.—*Wm. Chawner*, Birmingham, out of business. May 7 at 2, County Court of Warwickshire, at Birmingham, —*James Martin*, Birmingham, brassfounder, May 7 at 2, County Court of Warwickshire, at Birmingham.—*Eleanor Moseley*, Birmingham, milliner, May 7 at 2, County Court of Warwickshire, at Birmingham.—*Robt. Haskett*, Birmingham, plumber, May 21 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Beck*, Birmingham, grocer, May 21 at 2, County Court of Warwickshire, at Birmingham.—*R. Smedley*, Aston, Birmingham, huckster, May 21 at 2, County Court of Warwickshire, at Birmingham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 11 *at* 10, *before the* CHIEF COMMISSIONER.

Rebecca Prebble, spinster, Regent-street, Lambeth-walk, Surrey, out of business. — *Henry Wilton* the elder, Richmond, Surrey, solicitor.—*Henry Wilton* the younger, Drake-st., Red Lion-square, Middlesex, engraver on wood.—*F. S. B. Wilton*, spinster, Kew-green and Richmond, Surrey, out of business.—*Mary Wilton* the younger, spinster, Brunswick-place, Barnsbury-road, Islington, Middlesex, governess in a gentleman's family.

May 12 *at* 10, *before Mr. Commissioner* PHILLIPS.

James H. James, Chichester-place, King's-cross, Middlesex, omnibus conductor.—*Josiah Buckhurst*, Alfred-street, Stroud's-vale, Maiden-lane, Battle-bridge, Middlesex, out of business.—*George Haines*, Heath-street, Hampstead, Middlesex, poulterer.—*John French*, John-street West, Blackfriars-road, Surrey, hat body maker.—*Alfred Benjamin de Lisle Allen*, York-road, Lambeth, Surrey, surgeon.

May 14 *at* 10, *before Mr. Commissioner* LAW.

Thos. G. Sherrin, Printing-house-square, Blackfriars, London, artificial flower manufacturer.—*Henry G. Clapton*, Bath-street, Devonport-street, Commercial-road East, Middlesex, tobacconist.—*Wm. Pyett*, Tyers-terrace, Tyers-st., Vauxhall, Lambeth, Surrey, grocer.—*Wm. Smith*, Eagle-street, Shoreditch, Middlesex, wholesale milliner.—*William Williams*, Waterloo-road, Surrey, tobacconist.—*Henri P. Heidemans*, Duke-st., Portland-place, Middlesex, and Deepdine, Dorking, Surrey, artist.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 11 *at* 11, *before Mr. Commissioner* HARRIS.

Job Barker, Hamilton-place, High-street, Deptford, Kent, assistant to a straw hat manufacturer.—*George D. Dempsey*, Elcom-terrace, New North-road, Islington, Middlesex, civil engineer.—*Victor Coedes De Coppa*, Rathbone-place, Oxford-street, Middlesex, commission agent for the sale of articles of importation.

May 14 *at* 11, *before the* CHIEF COMMISSIONER.

Robt. Oakden, Norman's-buildings, Brick-lane, Middlesex, out of business.—*Charles Smith*, Paradise-st., Clapham-road, Surrey, general dealer.—*Sam. Roberts*, Ashford-st., Hoxton, Middlesex, farmer.—*James Sabberton*, Broad-st., Golden-sq., Middlesex, tailor.

May 14 *at* 10, *before Mr. Commissioner* LAW.

Edwin Jeanes, York-st., Blackfriars-road, Surrey, out of business.—*George Cole*, Hampton Court, Hampton, Middlesex, assistant to an hotel keeper.—*Fred. W. Kendall*, Phipp's-st., Chappel-st., Curtain-road, Shoreditch, Middlesex, foreman to a cowkeeper.—*Hugh Tod*, New Norfolk-st., Lower-road, Islington, Middlesex, out of business.—*Thomas Fogg*, Rose-yard, Rose-st., Soho, Middlesex, dealer in old metals.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Bancroft, Manchester, beer-house keeper, No. 70,831; Robert Harrison, assignee.—*Wm. Leicester*, Kersall Hall-farm, Kersall-moor, near Manchester, out of business, No. 70,826; Jonathan Pollitt, assignee.—*Henry Whittle*, Preston, Lancashire, brewer, No. 70,904; James Mackhurst, assignee. —*Wm. Higginson*, Liverpool, assistant to a pawnbroker, No. 70,883; George Lindley, assignee.—*Wm. Bracewell*, Lawshaw-bridge, near Colne, Lancashire, butter factor, No. 70,577; James Townsend, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *May* 11 *at* 11.

Henry Eves, Liverpool, retail coal dealer.—*Joseph Silcock*, Manchester, out of business.—*Jas Emery*, Hulme, Manches-

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ter, out of business.—*John Clark*, Colne, out of business.—*Benj. Parker*, Liverpool, greengrocer.—*R. Baynes*, Liverpool, manager to a baker.—*Stow Ostler*, Liverpool, salesman.—*John Fletcher*, Ulverstone, watch maker.—*John Barritt*, Salford, butcher.—*Henry Lowe*, Horwich, out of business.—*Jos. Clegg*, Lancaster, out of business.—*John Burns Smith*, Salford, manager in a cotton-mill.—*Alex. Dolphin*, Preston, greengrocer.—*Robert Caldecott*, Manchester, out of business.—*J. M'Glade*, Liverpool, nail manufacturer.—*W. Armitage*, Salford, out of business.—*John Brewer*, Liverpool, out of business.—*Peter M'Lean*, Liverpool, master of a ship.—*Jos. Ramsden*, Salford, out of business.—*Simon Mocklar*, Liverpool, cooper.—*James Fairclough*, Liverpool, architect.—*John Ogden*, Manchester, out of business.—*James Wood*, Manchester, out of business.—*Sam. Williams*, Swanlow, grocer.—*W. Wilkinson*, Manchester, web maker.—*John M'Alister*, Liverpool, car proprietor.—*Henry Astley*, Blackburn, out of business.—*Jos. Routledge*, Liverpool, licensed victualler.—*Edward Clemmy*, Manchester, joiner.—*Thos. Thexton*, Manchester, railway porter.—*Ebenezer Heap*, Manchester, fustian shearer.—*Joseph Fletcher*, Liverpool, in no business.—*James Wilding*, Preston, out of business.—*James Berry*, Bury, woollen manufacturer.

INSOLVENT DEBTOR'S DIVIDEND.

Joseph Storey, Wark, near Hexham, Northumberland, land agent, May 14, Johnston's, Newcastle-upon-Tyne: 6*d.* in the pound.

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LONDON, MAY 5, 1849.

Among the numerous questions which have been raised on Lord Tenterden's Prescription Acts, none has caused a greater diversity of opinion than the construction of the 2 & 3 Will. 4, c. 100, for "shortening the time required in claims of modus decimandi, or exemption from or discharge of tithes." It has been contended, that this statute has had the effect of making the mere non-payment of tithes by a layman, for the period mentioned in the act, a valid ground for exemption, although, at the time of the passing of the statute, such mere non-payment, however far it might have been carried back, did not of itself afford an answer to a tithe claim. On the other hand, it has been insisted, that the only effect of the statute has been to shorten the period of time required for proof of such a modus or exemption as was recognised by the law at the time of the enactment, and not to introduce a new title or ground of exemption.

The principal case on this subject is *Salkeld* v. *Johnson*, which, having been before Sir James Wigram, (1 Hare, 196), the Court of Common Pleas, (2 C. B. 749), and the Court of Exchequer, (18 Law Journ., N. S., Exch., 89), has now, we understand, been referred to the Court of Queen's Bench by the Lord Chancellor, in whom the ultimate decision of the question is vested. In this case the plaintiff claims tithes, as vicar, from the defendants, as occupiers of land; and the answer thereto is, that the defendants have enjoyed such lands without payment of tithes, or money or other matter in lieu thereof, for the period limited in the statute.

Sir James Wigram, in a luminous judgment, decided for the plaintiff. The defendants appealed to the Lord Chancellor, who ordered a case to be stated for the opinion of the Court of Common Pleas. Tindal, C. J., and Cresswell, J., certified in favour of the plaintiff; Coltman and Erle, JJ., in favour of the defendants. A case was then stated for the opinion of the Court of Exchequer, and their judgment was delivered by Pollock, C. B., for the defendants.

It should also be stated that the same point was before the Court of Queen's Bench in 1843, (*Fellowes* v. *Clay*, 4 Q. B. Rep. 313), when Lord Denman, C. J., and Williams, J., were in favour of the exemption by mere non-payment; but Patteson and Coleridge, JJ., were of a different opinion.

While judicial views are thus conflicting and uncertain on this subject, we shall content ourselves with laying before our readers the state of the law relating to exemption from the payment of tithes at the time of the passing of the statute, the provisions of the statute itself which bear upon the point, and a brief summary of the arguments advanced on either side.

The statute applies to a modus, a composition real, and an exemption from and discharge of tithes. At the time of its passing, a modus could be established by proof of its constant and unvarying payment from the time of legal memory; a composition real by proof of its existence by deed before 13 Eliz.; but an entire exemption from the payment of tithe by laymen could not be established by the simple proof of the non-payment of tithes for any period, as proof must also have been given of the legal origin thereof—that is, that the lands had belonged to one of the greater religious houses dissolved by Henry VIII, and had been holden by such house from time immemorial, discharged from payment of tithes. Mere non-payment was no ground of exemption for the laity, "modus de non decimando in laicis non valet;" and, therefore, their defence to a

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suit for tithes consisted of two parts—first, title; secondly, time; and the course in practice was, first, to prove that the lands were abbey lands at the period of the dissolution of monasteries; and, secondly, that from time immemorial they had been exempt from tithe. This latter branch of the case was proved primâ facie by evidence of modern user or enjoyment of the lands without payment of tithe; but the presumption arising therefrom, or from proof extending back for centuries, might be rebutted by production of a terrier, survey, valuation, or other document of more ancient date, shewing that tithe had once been paid for such lands. Such was the state of the law when 2 & 3 Will. 4, c. 100, was passed.

The title we have already given, and the following, are, in substance, the important parts which bear upon the question:—

The 1st section recites, that "the expense and inconvenience of suits instituted for the recovery of tithes may and ought to be prevented, by shortening the time required for the valid establishment of claims of a modus decimandi, or exemption from or discharge of tithes;" and enacts, that "all prescriptions and claims of or for any modus decimandi, or of or to any exemption from or discharge of tithes, by composition real or otherwise," shall, where tithes are demanded by the Crown, by any lay person, or a corporation aggregate, "be sustained, and be deemed good and valid in law, upon evidence shewing, in cases of claim of a modus decimandi, the payment or render of such modus; and in cases of claim to exemption or discharge, shewing the enjoyment of the land without payment or render of tithes, money or other matter in lieu thereof, for the full period of thirty years next before the time of such demand, unless, in the case of claim of a modus decimandi, the actual payment or render of tithes in kind, or of money or other thing differing in amount, quality, or quantity from the modus claimed, or, in case of claim to exemption or discharge, the render or payment of tithes, or of money or other matter in lieu thereof, shall be shewn to have taken place at some time prior to such thirty years, or it shall be proved that such payment or render of modus was made, or enjoyment had, by some consent or agreement expressly made or given for that purpose by deed or writing; and if such proof in support of the claim shall be extended to the full period of sixty years next before the time of such demand, in such cases the claim shall be deemed absolute and indefeasible, unless it shall be proved that such payment or render of modus was made, or enjoyment had, by some consent or agreement expressly made or given for that purpose by deed or writing." And where the render of tithes in kind shall be demanded by any archbishop, vicar, &c., then such prescription and claim shall be valid and indefeasible, upon evidence shewing such payment, render, or enjoyment before mentioned, during two incumbencies, (amounting to sixty years), and three years of a third incumbency.

Sect. 2 enacts, "that every composition for tithes which hath been made or confirmed by the decree of any court of equity in England, in a suit to which the ordinary, patron, and incumbent were parties, and which hath not since been set aside, abandoned, or departed from, shall be and the same is hereby confirmed and made valid in law; and that no modus, exemption, or discharge shall be deemed to be within the provisions of this act, unless such modus, exemption, or discharge shall be proved to have existed and been acted upon at the time of, or within one year next before, the passing of this act."

Sect. 7 enacts, "that, in all actions and suits to be commenced after this act shall take effect, it shall be sufficient to allege, that the modus, or exemption or discharge, claimed was actually exercised and enjoyed for such of the periods mentioned in this act as may be applicable to the case; and if the other party shall intend to rely on any proviso, exception, incapacity, disability, contract, agreement, deed, or writing herein mentioned, or any other matter of fact or of law not inconsistent with the simple fact of the exercise and enjoyment of the matter claimed, the same shall be specially alleged and set forth in answer to the allegation of the party claiming, and shall not be received in evidence on any general traverse or denial of the matter claimed."

In a future article we propose to consider the grounds on which our Courts have arrived at such different and opposing conclusions as to the operation of this statute.

ON THE WRIT OF MANDAMUS.

(*Continued from p.* 31).

The same certainty is required in the return as before the statute of Anne. (*Rex* v. *Lyme Regis*, Doug. 152, per Mansfield, C. J.) The rule is, not to presume everything against the return; there should be no presumption either one way or the other. (*Rex* v. *Lyme Regis*, E., 19 Geo. 3, Selw. N. P. 1092). The return, need not be under the seal of the corporation, nor is it requisite that it should be signed by the mayor. The return being matter of record, as such, is not required, when made by a corporation, to be under hand or seal; and, if false, an action will lie against the body politic or the person who procures the false return, as in other cases. (*Rex* v. *The Mayor of Exeter*, Ld. Raym. 223; see also *Rex* v. *Chalice*, 2 Ld. Raym. 848; S. P., Com. Dig. "Mandamus," (D.) 2). If an action be brought for a false return, it will be sufficient evidence against the party that the mandamus was delivered to him, and has such a return, unless he can shew the contrary. (Bull. N. P., "Mandamus," 200).

The return, when complete, must be filed. Either party may move to file it on a motion paper signed by counsel. This is done by indorsing a motion paper and handing it to counsel, indorsed "to move to file the writ and return," which, when signed, must be taken to your clerk in court in the Crown-office. It is not sufficient for the party or parties to whom the writ is directed merely to leave the writ and return with a clerk in court, as he is not bound to file it without such motion paper; and, unless it is on the proper file within six days next after service of the side-bar rule, the prosecutor may, if he is adverse, upon an affidavit of the service of the side-bar rule, and that the writ and return are not on the proper file, move for a rule to shew cause why a writ of attachment should not issue against the party or parties for not returning the writ of mandamus; or, upon an affidavit of the service of the writ of mandamus without a side-bar rule, the Court will grant a rule to shew cause why an attachment should not issue; and, if such application be made, the Court will not discharge the rule but upon

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payment of costs. (Gude's Crown-office Prac. 185). When once filed it stands, and no objection can be taken that it was not filed in time, there being no instance of a return being quashed because filed too late. (*Reg.* v. *Kendall*, 1 Adol. & Ell., N. S., 374). The Court will not stay the filing of the return upon a suggestion that the return was made against the votes of the majority, who would have obeyed the writ; for, if the mayor make a return contrary to the votes of the majority, it is at his peril, and he may be punished for it. (*Rex* v. *Abingdon*, Salk. 431).

Where an information is the proper remedy for disobedience to a mandamus, the return must be filed and allowed before the information can be moved for. (*Bull. N. P.* 203).

If any clerical mistake be discovered in the return, the party should apply forthwith to have it amended, (*Rex* v. *The Mayor of Newbury*, 1 Adol. & Ell. 759), which the Court or a judge will order: this has been done even after the return is filed and called on for argument. (*Rex* v. *Lyme Regis*, Doug. 130; *Reg.* v. *The Directors of St. Pancras*, MS., 1843). And if a return made to a mandamus be insufficient to raise the question intended to be agitated, the Court will, at the instance of the party interested, grant leave to amend in the manner required. (*Rex* v. *Marriott*, 1 D. & R. 166). All the statutes of jeofails are extended to writs of mandamus, and the proceedings thereupon. (9 Ann. c. 20, s. 7; 4 Ann. c. 16; 32 Hen. 8, c. 30; 18 Eliz. c. 14; 37 Eliz. c. 5; 21 Jac. 1, c. 13; 16 & 17 Car. 2, c. 28). Variances between proof and recital, or setting out matters upon the record, may be amended on the trial, by virtue of the 3 & 4 Will. 4, c. 43, s. 23.

Formerly, if the return to a mandamus was insufficient or defective in any of the preceding requisites, either in form or substance, or manifestly frivolous and contemptuous, the Court would order the return to be quashed, and a peremptory mandamus to issue forthwith. (*Rex* v. *Payn*, 6 Adol. & Ell. 392, 403; *Reg.* v. *St. Saviour's, Southwark*, 7 Adol. & Ell. 925, 936 et seq.) It was discretionary in the Court, however, either to determine the validity of the return upon motion, or to order the case to be set down in the Crown paper for argument upon a concilium, (*Rex* v. *St. Katharine's Dock Company*, 4 B. & Adol. 360; 1 Nev. & M. 121; *Reg.* v. *The North Midland Railway Company*, 11 Adol. & Ell. 955, n.; S. C., 3 P. & D. 622); which latter course the parties were usually left to, unless the return was manifestly frivolous and contemptuous. (*Reg.* v. *St. Saviour's, Southwark*, 7 Adol. & Ell. 925, 936 et seq.; *Reg.* v. *Kendall*, 1 Adol. & Ell., N. S., 374). If a return consist of several independent matters not inconsistent with each other, part of which are good in law, and part bad, the Court will not quash the whole return, but such part only as they deem bad. (*Rex* v. *Cambridge*, 2 T. R. 456; *Rex* v. *York*, 5 T. R. 66).

Where a mandamus had issued, directing the trustees of a turnpike-road to hold an inquisition, and ascertain the damage occasioned to a landowner by a new road cut through his land, the jury summoned for that purpose, after having been locked up for a whole night, and not being likely to agree, on the following day were discharged, without the consent of the party. The Court refused to quash a return stating these facts, without further discussion. (*Rex* v. *The Harbour-roads Trustees*, 4 Jur. 50).

It being discretionary with the Court whether they entertained the validity of the return summarily upon motion, which was seldom done unless clearly bad, or was so evasive and frivolous as to amount to a contempt, (*Reg.* v. *The North Midland Railway Company*, 11 Adol. & Ell. 955, n.), the parties were left to argue the matter upon a concilium, in the usual way.

The judgment, however, in these cases, being final, for no writ of error could be brought upon it, (*Rex* v. *The Lord of the Manor of Oundle*, 1 Adol. & Ell. 283), it was deemed advisable to make an alteration in the practice to remedy this defect. The 6 & 7 Vict. c. 67, s. 1, enacts, "that in all cases in which the person prosecuting any such writ heretofore issued, or hereafter to be issued, shall wish or intend to object to the validity of any return already made or hereafter to be made to the same, he shall do so by way of demurrer to the same, in such and the like manner as is now practised and used in the Court of Queen's Bench and the Courts of the counties palatine respectively in personal actions; and thereupon the said writ and return, and the said demurrer, shall be entered upon record in the said courts respectively, and such and the like further proceedings shall be thereupon had and taken as upon a demurrer to pleadings in personal actions in the said courts respectively; and the said courts respectively shall thereupon adjudge, either that the return is valid in law, or that it is not valid in law, or that the writ of mandamus is not valid in law; and if they adjudge that the said writ is valid in law, but that the return thereto is not valid in law, then and in every such case they shall also, by their said judgment, award that a peremptory mandamus shall issue in that behalf; and thereupon such peremptory writ of mandamus may be sued out and issued accordingly, at any time after four days from the signing of the said judgment; and it shall be lawful for the said courts respectively, and they are hereby required, in and by their said judgment, to award costs to be paid to the party in whose favour they shall decide, by the other party or parties."

If, therefore, a party wishes to object to the validity of a return to the mandamus, his proper course will be to demur, which, it is conceived, must be according to the form and rules adopted in personal actions with reference to pleading. The form of demurrer would be as follows:—

"In the Queen's Bench.

The —— day of ——, A. D. 1849.

Reg., on the prosecution of A. B.,

v.

The Mayor, Aldermen, and Burgesses of the Borough of C.

"The said A.B., in the said writ and return named, by E. T., his attorney, says, that the said return is not sufficient in law. [*If the causes of demurrer be special, they should be specifically pointed out thus:*—] And he states and shews to the Court here the following causes of demurrer to the said return; that is to say, for that [*here set them out*]: and also, for that the said return is in other respects uncertain, informal, and insufficient," &c.

This demurrer must be signed by counsel; and, according to the Rule of H. T., 4 Will. 4, r. 2, some matter of law intended to be argued must be stated in the margin. Two copies should be then made on plain paper, one of which must be filed at the Crown-office, and the other delivered to the opposite attorney.

No rule for joinder in demurrer is necessary. (H. T., 4 Will. 4, r. 3). A demand may be made on the back of the demurrer, or separately. If the opposite party does not, within four days after such demand, deliver the same, or obtain further time, the party making the demand may sign judgment. The joinder may be in the following form:—

"In the Queen's Bench.

The —— day of ——, A. D. 1847.

The Mayor, Aldermen, and Burgesses of the Borough of C.

ats.

Reg., on the prosecution of A. B.

"The said Mayor, Aldermen, and Burgesses of the

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Borough of C., by E. T., their attorney, say that the said return is sufficient in law."

By rule H. T., 4 Will. 4, no signature of counsel is requisite. Two copies should be made, one of which should be filed, and the other delivered to the opposite party, in the same way as the demurrer. So soon as the defendant has joined in demurrer, the proper course is to obtain a rule for a concilium, which is done on the production of counsel's signature to a motion paper at the Crown-office. This rule will specify the day on which the case will be put in the Crown paper for argument. This rule must be served on the opposite party six days at least before such day, if within forty miles of London, and eight days if exceeding that distance.

Paper books must then be prepared, containing an entry of all the proceedings, with the points intended for argument. These books must be delivered to the judges at Chambers two days before the day on which the case will be placed in the paper for argument, according to Rule 23. On the case coming on to be heard at the usual time appointed, the counsel for the party impugning the return is first heard; (*Rex* v. *The Church Trustees of St. Pancras*, 3 Adol. & Ell. 535; S. C., 6 Adol. & Ell. 314); then the counsel for the defendants; then the counsel for the prosecutor replies. One counsel only is in general allowed to argue. No objections can be taken by the prosecutor's counsel, except such as appear upon the face of the return. (*Reg.* v. *The Select Vestry of St. Margaret's, Leicester*, 10 Adol. & Ell. 732, n.) The defendant's counsel, however, is at liberty to object to the writ in matters of substance appearing on the face of it. If, therefore, a writ be improperly directed, for instance, to the steward of a manor alone, where the lord ought to be joined, this has been held to be a defect in substance. (*Reg.* v. *Powell*, 1 Adol. & Ell., N. S., 352).

If, on argument, the writ is holden to be bad, the Court give judgment that it be quashed, and that the defendants do recover their costs. If, however, the writ is held to be good, but the return bad, they award judgment for the prosecutor, with costs, and that a peremptory mandamus do issue. (*Rex* v. *Kendall*, 1 Adol. & Ell., N. S., 366; see also 6 & 7 Vict. c. 67, s. 1).

(*To be continued*).

COURT OF QUEEN'S BENCH.

EASTER TERM.—12 VICTORIA.—*May* 1.

This Court will, on Wednesday the 9th and Saturday the 12th days of May instant, hold sittings, and will proceed in disposing of the business in the Special Paper on the 9th instant, and the Crown Paper on the 12th instant, taking the cases in their order, unless special application be made to postpone any of them before the last day of term; and will give judgment in cases previously argued. BY THE COURT.

COURT OF EXCHEQUER.

EASTER TERM.—12 VICTORIA.—*April* 28.

This Court will hold sittings on Wednesday the 9th day of May next, and on Thursday the 10th, Friday the 11th, Saturday the 12th, Monday the 14th, and Tuesday the 15th days of the same month; and, at such sittings, will proceed in disposing of the business then pending in the Paper of New Trials, the Paper of Demurrers, and the Paper of Special Cases, and in giving judgment in all matters then standing for judgment.

FREDERICK POLLOCK.
J. PARKE.
R. M. ROLFE.
T. J. PLATT.

Read in open court,
E. Bennett.

Reviews.

Report of a Committee of the Society for Promoting the Amendment of the Law, on the Law Reporting System.

The Delay in the Offices of the Masters in Chancery, and the Remedy. By C. P. COOPER, Esq., Q. C.
[*London: Stevens & Norton*, 1849.]

Statistics are, in general, exceeding nauseous intellectual food: they furnish, however, in a great variety of instances, the most conclusive arguments that can be found in support of or against given systems. The statistics of the Report above referred to are not an exception to either of the above propositions: they are much more tiresome, but, at the same time, much more conclusive, than any arguments that could be brought to bear, unsupported by statistical statements, on the present state of law reporting. It appears that there are more than forty Barristers constantly employed in the preparation of the *regular* reports, and at least as many more employed in the different legal periodicals. It appears that the reports of the decided cases in any year for *one term*, in *any* of the superior courts, at the present day, exceed in bulk those of all the tribunals in the country, for the whole year, seventy years ago. It appears that the annual cost of a set of the regular reports for each year now, is about 30*l.*; and it is computed that the average circulation is about 750 copies of each set; so that the money annually laid out by the Profession is 22,500*l.*

The Report, having made these and other statistics, proceeds thus:—

"The high price of law books has for years been 'a common subject of complaint; and when it is 'considered what a small proportion of this price 'goes into the pocket of the author or compiler, it is 'remarkable that the Profession, who are at once *the* 'producers and consumers, should have never yet at-'tempted a remedy.

"The commission allowances, &c., to the *trade* on the 'sale of books, generally amount to between 30 and 40 'per cent., and sometimes even more, on the cost of a 'book. Thus, on a book of Law Reports, on which the 'smallest allowance is made, if the money is to be ac-'counted for to the author, first of all 20 per cent. on '2*l.*, its nominal price, is allowed to the retail bookseller; 5 per cent. more, and one copy in twenty-five, in 'all 9 per cent., or 3*s.* 8*d.*, to the wholesale bookseller; 'and 7½ per cent., at least, or 3*s.*, by way of commission, 'to printing and advertisement expenses and the pub-'lisher; only 1*l.* 5*s.* 4*d.* being left for the remuneration 'of the author. Hence it obviously requires a sale 'of 400 copies of such a work to save the proprietor of 'the copyright from positive loss; and the publishers, 'relying on this, generally succeed in getting the copy-'rights of the Reports into their own hands.

"If, in any case, a society for the purpose of publish-'ing books were practicable, it would seem most pecu-'liarly so among the Legal Profession.

"The 'Law List' of the present year contains the 'names of about 14,000 practising barristers, attornies, 'and solicitors; and this list would be vastly increased 'by an addition of the local and colonial judges, magis-'trates, and law officers, and the crowd of students, 'articled clerks, &c., preparing themselves for the Pro-'fession.

"To the majority of this numerous class the serious 'expense of the Law Reports in their present shape is 'the principal objection which prevents their being 'used.

"Now, if, instead of the limited average circulation 'on which the above calculations are formed, the Re-'ports were generally circulated amongst the Profes-'sion, the majority of them—say, for the sake of round

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'numbers, 10,000—annually contributing to a fund for 'the purpose, a sum less than it may be assumed they 'have at present annually to lay out, it is pretty clear 'that, instead of 30*l.*, the small annual sum of *three* '*pounds* would be amply sufficient to secure to each of 'the contributors a supply of all the Reports, even in 'their present form: a fact which may be easily ren- 'dered intelligible.

"The printing and binding of 1000 copies of an or- 'dinary octavo volume of Law Reports, of even 800 'pages, costs about 330*l.*, and every additional 1000 'copies about 160*l.*; and thus 10,000 copies of such a 'work can be produced for about 1770*l.*: and if the 'expenses of ten series of Reports, at this rate, be added 'to the sum already estimated as the amount of the re- 'porters' present remuneration, it will be found that the 'whole expense of a set of Reports for each court, as 'voluminous as they are at present, would leave a large 'surplus from the amount of the small annual contri- 'bution suggested."

The object of the Report seems, principally, to shew, that, if the Profession would take upon itself to be its own bookseller, it might have its Reports at the rate of about 3*l.* per head per annum, instead of 30*l.* We doubt not that this may be so; but the same result, or nearly the same result, would be produced if 10,000 members of the Profession purchased Reports without any association. The profit then made by the publisher would be so large, that competition would bring down the price of Reports to the due proportion between expenditure and profit. The difficulty lies in this—that 10,000 of the Profession will not buy Reports; neither would 10,000 subscribe 3*l.* a year each to be provided with all the Reports. We confess we have no great faith in the success of applying the club system to the publication of Reports by the Profession. The experiment is, however, easily tried. Let any one or more members of the Profession procure 10,000 subscribers to any set of Reports, and then inquire of the existing publisher of those Reports for what he will supply 10,000 copies, guaranteeing to him the sale of such number. It would soon be seen at what price, so guaranteed, a publisher could supply Reports, and whether the Profession would gain or lose by becoming its own publisher, or continuing to buy books from a publisher in the ordinary way.

Mr. C. Purton Cooper's pamphlet, "On the Delay in the Offices of the Masters in Chancery," is published at an opportune moment, and the suggestions contained in the latter part of it come, in many points, singularly in aid of some of the views put forth in the leading article of THE JURIST of the 14th ultimo. Mr. Purton Cooper thinks it necessary, in his Preface, to argue, for the satisfaction of the Profession, that increase of simplicity and dispatch in Chancery proceedings will, by causing a greater flow of business into Chancery, compensate for the diminution of emolument in each case. We believe him to be right in his conclusion; though whether he is so or not is not very material, because, if it be the fact that Chancery proceedings can be simplified, and if the public become once convinced that it is for their benefit that they should be so, not all the opposition of all the branches of the Profession can prevent the simplification being carried into effect. We add, as we have said on more than one occasion in the pages of this journal, that we are convinced no opposition, founded on merely mercenary motives, will ever be made to beneficial reforms in the law from the most influential, if not the most numerous, portion of each branch of the Profession.

The gist of Mr. Cooper's suggestions, with regard to the Masters' offices, is to substitute responsibility in the Masters to the public, for their present responsibility to the Court only; to invest them with certain powers, under regulations, for compelling parties to proceed; and to assimilate, as much as possible, the course of proceeding in the Masters' office to that of the Court, getting rid of that most mischievous feature, the separate warrants. The following extract will shew the author's notions as to bringing business to a hearing before the Master:—

"So soon as the decrees and orders in causes and 'matters directing references shall have been passed and 'entered, such causes and matters shall be forthwith 'set down for hearing before the Master in a book 'similar to that in which causes and matters are set 'down for hearing before the Court.

"If the party having the prosecution of the decree 'or order neglects so to set down the same for twenty- 'four hours after the decree or order shall have been 'passed and entered, the same may be set down by any 'other party interested.

"Fee to be allowed for such setting down.

"In case the Master shall find that the parties have 'neglected to set down a decree or order for hearing 'before him, he shall direct one of the solicitors to the 'offices of the Masters hereinafter mentioned to set 'down such decree or order, and to give notice of such 'setting down to the solicitors of the parties, or to the 'parties themselves, if they have no solicitors.

"The Master shall be at liberty to select the causes 'and matters belonging to a particular class, and to 'direct the same to be brought to a hearing before him 'on such days as to him shall seem convenient, due 'notice of such selection, &c. being given.

"Subject to the last regulation, and to the two next 'ensuing regulations, all causes and matters shall be 'brought to a hearing before the Master in the order 'in which the same shall have been set down for hear- 'ing in the book hereinbefore mentioned.

"On one day in every week, during the sittings of 'the Court or of the Master, there shall be a paper of 'consent and short causes and matters, analogous to the 'consent and short cause papers of the Master of the 'Rolls and Vice-Chancellors.

"Short causes and matters shall be certified as such 'by one of the solicitors concerned; or, in default of 'a solicitor to any party, by one of the solicitors to the 'offices of the Masters hereinafter mentioned.

"On one day in every week, during the sittings of 'the Court or of the Master, there shall be a paper of 'causes and matters, in which, either from the same 'not having been yet brought to a hearing before the 'Master, or for any other reason, the mode of proceed- 'ing is doubtful, and it is requisite to have the direction 'of the Master thereupon.

"Such paper shall be entitled 'Causes and Matters 'in which the Direction of the Master as to the Mode 'of proceeding is desired.'

"In all cases of causes and matters in which the 'Master shall give direction as to the mode of pro- 'ceeding, he shall fix the time at or before which the 'same shall be again brought to a hearing before him.

"In all cases of causes and matters in which refer- 'ences are pending before the Master that may not be 'specifically described in any of these regulations, the 'Master, when such causes and matters come before 'him for hearing, shall in like manner fix the time for 'the same being again brought to a hearing before him.

"There must be regulations to insure this being done 'by the solicitors to the offices of the Masters herein- 'after mentioned, if not done by the solicitors to the 'parties, or by the parties themselves, they having no 'solicitor; the design being, that there shall be no 'cause or matter in which a reference is pending, and 'which has been once before the Master, as to which 'there shall not be a time fixed within which the same 'must be again brought before the Master for his di- 'rection or decision.

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"Applications for leave to amend bills, for time to 'answer, and to enlarge publication, and references as 'to impertinence and as to insufficiency, shall be heard 'on particular days to be fixed by the Master, unless 'the same be of a pressing nature.

"Causes and matters of a pressing nature, or in re-'spect of which the report or certificate of the Master 'must be obtained prior to the particular days fixed by 'the Master for hearing causes and matters of the class 'to which they belong, shall be placed in a short line 'at the head of the Master's paper of the day, the leave 'of the Master (to be signified in such way as he may 'direct) being previously had.

"The Master shall cause a paper of the causes and 'matters, coming on before him for hearing each day, 'to be affixed in some convenient place at or before 'five o'clock in the evening of the preceding day.

"Such paper shall specify in which of such causes 'and matters counsel will attend.

"The causes and matters shall be called on for hear-'ing in the order in which they stand in such paper.

"The Master shall be enjoined and required not to 'postpone the hearing of any cause or matter by reason 'of the absence of counsel, solicitor, or party, unless the 'parties engaged in the succeeding causes and matters 'are ready, and such causes and matters will occupy 'the remainder of the Master's day."

Mr. Cooper also proposes to refer, in the first instance, all questions of title to a conveyancer, to be a salaried officer of the court; and all questions of account to an accountant, to be also a salaried officer of the court; and to have an appeal from these officers to the Master. We think the suggestion of having such officers attached to the court a good one; but we cannot see why there should be a separate hearing before them, and an appeal to the Master. They should be simply the Master's advisers, and the Master should make and be responsible for the decision. Surely, three appeals—from the Master to the Court; from the Court to the Lord Chancellor; and from the Chancellor to the House of Lords—are enough for any mortal litigant.

Mr. Cooper's suggestions, as to general simplification of proceedings out of the Masters' offices, have reference to the total abolition of bills and answers in all cases of mere construction of written instruments, and in all administration business. On this he says—

"The three main subjects of Chancery suits and 'proceedings are:—I. The Construction of Wills, Mar-'riage Settlements, and other written Instruments. 'II. The Appointment of Guardians, and the Allow-'ance of Maintenance to Infants. III. The Adminis-'tration of the Estates of Testators and Intestates.

"Regulations, somewhat of the nature of those en-'suing, would, as the writer apprehends, much diminish 'expense and delay.

"I. The Construction of Wills, Marriage Settle-'ments, and other written Instruments.

"1. In all cases in which the only question is the 'construction of a written instrument, any party inte-'rested shall be at liberty to serve a statement of his 'claim thereunder upon all other parties having, or 'supposing to have, an interest; and the Court shall 'have power, upon the appearance of all parties, or 'upon due proof of service of such statement of claim 'upon them, to make a declaration of the rights of all 'parties under such instrument.

"2. Such declaration may extend to cases of that 'kind, which are embraced by the Scotch declaratory 'action.

"A large proportion of short causes involve the con-'struction of some written instrument merely. No 'fact is in dispute. The meaning of a few lines—of a 'few words—is the only embarrassment. Nothing more 'is wanted by the parties for their guidance—to enable 'them to alien, encumber, settle, devise—than a declar-'ation of the Court. What is there, apart from old 'prejudice, which we are fast getting rid of, to prevent 'this from being obtained, without the cumbrous and 'expensive machinery of bill and answer?

"II. The Appointment of Guardians, and the Al-'lowance of Maintenance to Infants.

"1. Any one, upon an affidavit stating the requisite 'facts, shall be at liberty to apply to the Master to 'appoint guardians to infants, and to make an allow-'ance for their maintenance.

"2. In cases in which there is no dissatisfaction 'with the decision of the Master, his certificate, stating 'the names of the guardians and the amount allowed 'for maintenance, sufficient.

"The petition for a reference is a useless expense, 'and the petition for the confirmation of the Master's 'report, where there is no dissatisfaction, is equally a 'useless expense.

"3. In cases where the parties are dissatisfied with 'the decision of the Master, he shall make his report 'of the proceedings before him in the usual way, to 'give opportunity of an appeal to the Court.

"In cases belonging to this class, the Master shall 'be at liberty to dispense with strictly legal evidence 'of facts, respecting which there is no dispute, when 'such strictly legal evidence cannot be obtained with-'out delay or expense.

"The writer has known proceedings, in cases of this 'kind, suspended for twelve months, the Master re-'quiring the best evidence of the identity and ages of 'the infants, which could only be procured from the 'East Indies. The Court cannot be too difficult as to 'the evidence received where a fund is to be distri-'buted. But, in questions of guardian and mainte-'nance, may it not, without incurring an imputation 'of rashness, be thought—no one suggesting any doubt—'that evidence of a degree less high may safely be 'admitted, when none better can be had without addi-'tional delay or expense?

"III. The Administration of the Estates of Testators 'and Intestates.

"1. Creditors, legatees, annuitants, widows, and next 'of kin, shall be at liberty, without bill or petition, 'by summons before one of the Masters, upon affidavit 'of their claims, to call upon personal representatives 'to pay or secure the same.

"2. Assets being admitted, the Master shall have 'powers, in reference to ordering payment, &c., analo-'gous to those of the judges of the Small Debts and 'Demands Courts.

"3. Assets not being admitted, the Master shall have 'power to appoint a receiver, to direct a sale of all or 'any part of the assets, (the proceeds being paid into 'court to the credit of the matter), to advertise for cre-'ditors, legatees, next of kin, and to distribute the fund. '(See the Joint-stock Companies Winding-up Act).

"4. The Master's order of distribution shall bind all 'parties interested, in like manner as if such distribu-'tion were made by decree or order in a suit.

"5. The Master, at the request of parties dissatisfied 'with his decision, shall grant a certificate of such de-'cision, with the evidence and grounds upon which he 'has proceeded; and such parties shall be at liberty 'to apply to the Court, upon the footing of such certi-'ficate, and without objections or exceptions, to reverse 'or alter the Master's decision."

We can only say, that, not holding our own speculations, as to the reform of pleadings, to be perfect,—not holding Mr. Cooper's, as to the reform of proceedings in and out of the Master's office, to be perfect,—we think that both are in the right direction; and we trust, ere long, to see "Chancery" so revised and reformed, that the mere statement that an estate is "in Chancery" will not elicit, as it did, not long ago, in the

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House of Commons, a universal laugh. When, as is the fact, the most ordinary motion for a special injunction, with a bill of less than eighty folios in length, and not more than forty folios of evidence, costs a plaintiff something like 30 guineas,—when such a motion, with an average of length of pleadings and evidence, will cost each party at the least 60 guineas,—when merely reviving a suit, abated by the death of a defendant, will cost the plaintiff upwards of 8 guineas,—and when it is recollected, that these are but little steps in the great operation called a Chancery suit, and that the last of them at least may occur many times during its progress,—it is not too much to say, that such costly machinery is not, in its present state, adapted to the wants of a large class of society, and must be grievously defective somewhere, to be so costly.

London Gazettes.

TUESDAY, May 1.

BANKRUPTS.

PHILIPP SIGMUND CHRISTIAN IAKLE, Upper North-place, Gray's-inn-road, Middlesex, tailor, dealer and chapman, May 10 at 11, and June 12 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Nicholls & Doyle, 48, Bedford-row.—Fiat dated April 30.

HUGH SWAN, High-street, Camden-town, and Hanway-st., Tottenham-court-road, Middlesex, draper, dealer and chapman, May 11 at 11, and June 12 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Jones, Sise-lane, Bucklersbury.—Fiat dated April 28.

JOHN BESSELL, Farringdon-street, London, glass merchant, glass cutter, dealer and chapman, May 9 at 12, and June 8 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Pritchard, Town-hall, Southwark.—Fiat dated April 27.

JOBWAY, Prince's-road, Uxbridge-road, Middlesex, licensed victualler, May 12 at 2, and June 2 at half-past 12, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Martineau, Raymond-buildings, Gray's-inn.—Fiat dated April 26.

WILLIAM CROFTS, Strand, Middlesex, coffee-house and hotel keeper, May 9 at 1, and June 14 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Futvoye & Co., John-st., Bedford-row.—Fiat dated April 18.

CHARLES HOLMAN WARREN, Fawley, Southampton, surgeon and apothecary, dealer and chapman, May 17 at 1, and June 18 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Mackey, Southampton; Paterson, Bouverie-st., Strand.—Fiat dated April 27.

HORATIO HYLAND, Staple-cross, Ewhurst, Sussex, grocer and draper, May 15 at half-past 2, and June 12 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & S. Langham, Bartlett's-buildings, Holborn, and Hastings, Sussex.—Fiat dated April 26.

JAMES VAUGHAN, Hereford, plumber, glazier, painter, dealer and chapman, May 16 and June 13 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Gwillim, Hereford; Suckling, Birmingham; Smith & Sons, Southampton-st., Bloomsbury-square, London.—Fiat dated April 25.

THOMAS BISHOP, formerly of Eaton Bishop, now of Marden, Herefordshire, cattle dealer, dealer and chapman, May 16 and June 13 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Gwillim, Hereford; Suckling, Birmingham; Smith & Sons, Southampton-st., Bloomsbury-sq., London.—Fiat dated April 27.

ROBERT CANNINGS COLLINS, Walcot, Bath, Somersetshire, commission agent for the sale of tobacco and other goods, cheese factor, sheriff's officer, dealer and chapman, May 10 and June 7 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Slack, Bath; Bridges, Bristol.—Fiat dated April 25.

BENJAMIN COUCH STENLAKE, Tavistock, Devonshire, watch and clock maker, stationer, dealer and chapman, May 10 at 1, and June 6 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Robins, Tavistock; Stogdon, Exeter; Baker & Co., Lime-street, London.—Fiat dated April 28.

JOHN JORDAN, Birmingham, surgeon and apothecary, May 15 and June 12 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Sargent, Birmingham. Fiat dated April 26.

GEORGE LOFTHOUSE RICHARDSON, Liverpool, cutler, dealer and chapman, May 16 and June 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Hime, Liverpool; Chester & Co., Staple-inn, London.—Fiat dated April 28.

WILLIAM APPLETON, Eccleston, near Prescot, Lancashire, joiner and builder, but carrying on business at St. Helen's, as a joiner and builder, May 15 at 12, and June 12 at 2, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Taylor, St. Helen's, Lancashire; Norris & Co., Bedford-row, London.—Fiat dated April 12.

ABRAHAM RIPLEY and CHARLES THORP, Apperley-bridge, Yorkshire, dyers, (carrying on business together under the firm of Ripley & Thorp), May 17 and June 8 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. J. & H. Richardson, Leeds; Wigglesworth & Co., Gray's-inn, London.—Fiat dated April 26.

RICHARD BOUCHER, Liverpool, boot and shoe manufacturer, dealer and chapman, May 14 and June 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Godfrey, Liverpool; Vincent, Temple, London.—Fiat dated April 25.

JOHN ROBERTS the elder, Linfits, near Delph, Saddleworth, Yorkshire, woollen manufacturer, merchant, dealer and chapman, May 15 and June 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Hunt, Rochdale; Cragg & Jeyes, Bedford-row, London.—Fiat dated April 3.

GEORGE BURDIS, Newcastle-upon-Tyne, banker, dealer and chapman, May 8 at half-past 12, and June 12 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Philipson, Newcastle-upon-Tyne; Pringle & Co., 3, King's-road, Bedford-row, London.—Fiat dated April 23.

MEETINGS.

Thomas Forshall, Grove-house, Doddington-grove, Kennington, Surrey, surgeon, May 12 at 1, Court of Bankruptcy, London, last ex.—*Horatio Kemp*, Threadneedle-st., London, discount agent, May 12 at half-past 1, Court of Bankruptcy, London, last ex.—*George C. Temperley*, Kingsland-crescent, Middlesex, coal merchant, May 23 at 12, Court of Bankruptcy, London, aud. ac.—*Charles Sneezum*, Woodbridge, Suffolk, grocer, May 23 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Towns*, Kingston, Surrey, farmer, May 23 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Webster* and *Richard Webster* the younger, Cornhill, London, chronometer makers, May 23 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Sharpe*, Luton, Bedfordshire, plumber, May 23 at 11, Court of Bankruptcy, London, aud. ac.—*William Johnson*, West Drayton, Middlesex, corn factor, May 23 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. Hollick Davis*, Hendon, Middlesex, livery stable keeper, May 22 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Simmons*, Piccadilly, Middlesex, tobacconist, May 23 at 11, Court of Bankruptcy, London, aud. ac.—*Fred. Batcheldor*, Queenborough, Isle of Sheppy, Kent, hay dealer, May 24 at 11, Court of Bankruptcy, London, aud. ac.—*Charlotte Cooper*, Northampton, dealer in Berlin wools, May 24 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Woolhouse*, Windsor, Berkshire, timber dealer, May 24 at 11, Court of Bankruptcy, London, aud. ac.—*Joel Boulton*, Tooley-street, Southwark, Surrey, out of business, May 24 at 11, Court of Bankruptcy, London, aud. ac.—*Alfred Morecraft*, Marlborough, Wiltshire, draper, May 23 at half-past 12, Court of Bankruptcy, London, aud. ac. and div.—*R. Higgins*, Watling-st., London, and *W. Higgins*, Ludgershall, Wiltshire, draper, May 24 a 2, Court of Bankruptcy, London, aud. ac.—*John Jas. We ton*, Cranbrook, Kent, cattle dealer, May 23 at 12, Court of Bankruptcy, London, aud. ac.—*James Thomas*, Swansea, Glamorganshire, grocer, May 22 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Charles Reeves*, Bath, Somersetshire, marble mason, May 22 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thos. Andrews*, Lower Swell, Gloucestershire, cattle dealer, May 22 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Joseph Beanland*, Birkenshaw Bottoms, Birstal, and Bradford, Yorkshire, woolstapler, May 24 at 11, District Court of Bankruptcy, Leeds, aud. ac.—

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George Burton, Bradford, Yorkshire, engraver, May 24 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Alexander Nicholl* and *Wm. Nicholl*, Greetland, Halifax, Yorkshire, worsted spinners, May 24 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Law*, Idle, Calverley, Yorkshire, card manufacturer, May 24 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Addison*, Tipton, Staffordshire, builder, May 29 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Nicholls*, Longton, Stoke-upon-Trent, Staffordshire, manufacturer of earthenware, May 29 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Henry Thompson*, Manchester, and Nafferton, near Driffield, Yorkshire, corn merchant, May 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Haworth*, Stone Fold Mill, near Haslingden, Lancashire, cotton spinner, May 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Humphrey Layfield*, Burnley, Lancashire, boiler maker, May 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Hale* the younger, Woodnewton, near Oundle, Northamptonshire, baker, May 25 at 11, Court of Bankruptcy, London, div.—*John Patterson*, Tonbridge, Kent, tea dealer, May 24 at 11, Court of Bankruptcy, London, div.—*Wm. Armstrong*, Norwich, draper, May 22 at 11, Court of Bankruptcy, London, fin. div.—*Alfred Fielder*, Alton, Southampton, brewer, May 22 at 12, Court of Bankruptcy, London, fin. div.—*Rich. H. Pugh*, Aldermanbury, London, warehouseman, May 22 at 2, Court of Bankruptcy, London, div.—*Henry C. Broom*, Laurence Pountney-hill, London, grocer, May 24 at 11, Court of Bankruptcy, London, fin. div.—*Jos. Stubbing*, Northumberland-pl., Commercial-road East, Middlesex, draper, May 24 at half-past 2, Court of Bankruptcy, London, div.—*James Ebenezer Saunders* the younger, Upper Thames-street, London, fish factor, May 24 at half-past 11, Court of Bankruptcy, London, div.—*Geo. Ridley*, Gould-sq., London, wine merchant, May 24 at 1, Court of Bankruptcy, London, div.—*Louise Roelants*, Argyle-street, Regent-street, Middlesex, milliner, May 24 at 12, Court of Bankruptcy, London, div.—*Mark R. C. Wightman*, Pancras-lane, London, linen factor, May 23 at half-past 11, Court of Bankruptcy, London, div.—*Chas. Bertram* and *W. Parkinson*, Newcastle-upon-Tyne, merchants, May 24 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div. sep. est. of *Wm. Parkinson*.—*Wm. Smith* the younger, Stockton, Durham, manufacturer of earthenware, May 25 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*W. Richardson*, Newcastle-upon-Tyne, glass manufacturer, May 25 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Wm. Plumley*, Bristol, poulterer, May 22 at 11, District Court of Bankruptcy, Bristol, div.—*James Jackson Ferens* and *Robinson Ferens*, Durham, drapers, May 25 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Richard English*, Sunderland, Durham, wine merchant, May 25 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*John Birch*, Kingston-upon-Hull, tailor, May 23 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, fin. div.—*Henry Moseley* and *Jas. Brabazon Murphy*, Derby, carvers, June 8 at 11, District Court of Bankruptcy, Birmingham, div.—*Christopher John Spence*, Stockton-upon-Tees, Durham, timber merchant, May 24 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Robert Tippler, Great Tower-st., London, colonial broker, May 23 at 12, Court of Bankruptcy, London.—*Henry Edw. Bennett*, Queen's Bench Prison, Southwark, Surrey, carrier, May 24 at 12, Court of Bankruptcy, London.—*John Smith*, Regent-street, Middlesex, jeweller, May 23 at 11, Court of Bankruptcy, London.—*Hen. Grant*, Cardiff, Glamorganshire, clock maker, May 24 at 11, District Court of Bankruptcy, Bristol.—*Wm. Garret*, Newcastle-upon-Tyne, bookseller, May 25 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Joseph Cadman*, Pontypool, Monmouthshire, spirit retailer, May 24 at 11, District Court of Bankruptcy, Bristol.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 22.

Joseph T. Jay, Acle, Norfolk, surgeon.—*William Minton*, Liverpool, linen draper.—*B. Clark*, Kingston-upon-Thames, Surrey, export ale merchant.—*Thomas Grimbly*, Chippi Campden and Mickleton, Gloucestershire, grocer.—*J. Kress* Manchester, agent.—*Charles Kay*, Wakefield, Yorkshire, m nufacturer.—*Saml. Bennett*, High-st., Islington, Middlese draper.—*Leonard Greening*, Stroud, Gloucestershire, saddle —*John Arnold*, Oxford-st., Westminster, Middlesex, lin draper.—*John B. Brown*, Liverpool, broker.—*Robt. Owe* Manchester, tailor.—*Andrew D. Young*, Gracechurch-stree London, and Boxworth-grove, Islington, Middlesex, commi sion agent.

Scotch Sequestrations.

Peter Walker & Co., Glasgow, merchants.—*John Blai* Airdrie, grocer.—*James M'Keand*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy and have obtained an Interim Order for Protection fro Process.

John Bowling, Weeton, near Otley, Yorkshire, shoemake May 21 at 11, County Court of Yorkshire, at Otley.—*Jo Smith*, West Orchard, Coventry, Warwickshire, out of busi ness, May 23 at 2, County Court of Warwickshire, at Coven try.—*Edmund Russell*, Berkeswell, near Coventry, Warwick shire, tailor, May 23 at 2, County Court of Warwickshire, Coventry.—*Jos. Stephen Weatherilt*, Coventry, Warwick shire, schoolmaster, May 23 at 10, County Court of Warwick shire, at the County-hall, Warwickshire.—*Robert Morrell* Malinslee, Dawley, Shropshire, pudler, May 19 at 10, County Court of Shropshire, at Madeley.—*J. Cooper*, Barrow-upon-Humber, Lincolnshire, farmer, May 18 at 10, County Court of Lincolnshire, at Barton-on-Humber.—*T. G. Blocksedge*, Madeley, Shropshire, plumber, May 19 at 10, County Court of Shropshire, at Madeley.—*Henry Walker*, Dawley, Shropshire, confectioner, May 19 at 10, County Court of Shropshire, at Madeley.—*David Avison*, Robert-town, Liversedge, Birstal, Yorkshire, coal dealer, May 17 at 10, County Court of Yorkshire, at Dewsbury.—*Elizabeth Hunter*, Cheltenham, Gloucestershire, out of business, May 22 at 10, County Court of Gloucestershire, at Cheltenham.—*Rob. M'Clellan Walker*, Claughton-cum-Grange, Cheshire, collector, May 8 at 10, County Court of Cheshire, at Birkenhead.—*Wm. Bull*, Walford, Herefordshire, out of business, May 19 at 10, County Court of Herefordshire, at Ross.—*John Nicholas*, Neath, Glamorganshire, blacksmith, May 11 at 10, County Court of Glamorganshire, at Neath.—*Thomas Davies*, Aberavon, Glamorganshire, joiner, May 11 at 10, County Court of Glamorganshire, at Neath.—*Robert Marsden Rigby*, Walton-on-the-Hill, near Liverpool, baker, May 7 at 10, Liverpool District County Court, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 15 at 11, before Mr. Commissioner Harris.

Samuel Craig, Windsor-place, Southwark-bridge-road, Surrey, furrier.—*Chas. Pigott*, Church-row, Old St. Pancras road, Middlesex, out of employment.—*Rob. Bishop*, Bishop's buildings, Wood-wharf, Greenwich, Kent, fisherman.—*Charlotte Randall*, widow, Bridge-court, Westminster, Middlesex, dealer in ladies' wardrobes.—*Wm. Isaac Kersey*, Lea bridge-road, Upper Clapton, Middlesex, omnibus conductor —*Wm. Welling*, Amelia-place, Walworth-road, Surrey, oilman.—*George Edwards*, Brewer-st., Golden-square, Middlesex, trainer and jockey.

May 16 at 10, before Mr. Commissioner Law.

Vincent Piednue, Dorset-st., Portman-square, Middlesex, confectioner.—*John Chapman*, Vaughan-terrace, Shepherdess walk, Hoxton, Middlesex, bootmaker.—*W. Coleman*, Hemming's-row, St. Martin's-lane, Middlesex, tailor.

Saturday, April 28.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Ladner, St. Buryan, Cornwall, yeoman, No. 70,66 C.; John Roscorla, assignee.—*Christopher Fred. Andrew* Waltham Abbey, Essex, linen draper, No. 70,6[illegible]4 C.; Richard Dixson, assignee.—*Wm. Dancer*, Queen-st., Hammersmith, Middlesex, market gardener's foreman, No. [illegible]6,976 T.; Jo[illegible]

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Hopkinson, new assignee, Francis Vanveer, deceased.—*Silvanus Price Jones*, Wellington, Shropshire, retail beer seller, No. 64,278 C.; Thomas Garmeson Bradbury, new assignee, John Lead, removed.—*Chas. Springett*, Linton, near Maidstone, Kent, farmer, No. 70,716 C.; Charles Hammond, assignee.—*Ann Strike*, Stinnell Farm, North Petherwin, Devonshire, farmer, No. 70,777 C.; Roger Kingdon, assignee.—*Rob. Thompson*, Bicker, near Boston, Lincolnshire, miller, No. 70,800 C.; Wm. Bernard Thimbleby, assignee.—*Christopher Rogers*, Averton Gifford, Devonshire, mason, No. 70,841 C.; Wm. Beer, assignee.—*Saville Crowther*, Lindley Moor, near Halifax, Yorkshire, innkeeper, No. 69,863 C.; James Fox, assignee.

Saturday, April 28.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard Arscott, Skinner's-place, Leadenhall-market, London, assistant to an eating-house keeper: in the Debtors Prison for London and Middlesex.—*George Cook*, St. John's-lane, West Smithfield, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Geo. Edw. Cole*, Chesterterrace, Borough-road, Southwark, Surrey, joiner: in the Gaol of Surrey.—*Jas. White*, Sussex-square, Paddington, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*John Burnley Worster*, Union-st., Friar-street, Blackfriars-road, Surrey, tailor: in the Gaol of Horsemonger-lane.—*John Smith Puddephatt*, Poppin's-court, Fleet-street, London, carpenter: in the Queen's Prison.—*John Wrettom*, Felix-place, Liverpool-road, Islington, Middlesex, builder: in the Queen's Prison.—*Saul Myers*, Ashley-crescent, City-road, Middlesex, leather japanner: in the Queen's Prison.—*Walter Ephraim Goatley*, Trevor-square, Brompton, Middlesex, attorney at law: in the Queen's Prison.—*Isaac Harrison*, Eden-cottages, Commercial-road, Old Kent-road, Surrey, flour dealer: in the Gaol of Surrey.—*Wm. Kirby*, Great Ealing, Middlesex, cattle dealer: in the Debtors Prison for London and Middlesex.—*Robert Boyne*, Oakley-terrace, Old Kent-road, Surrey, cheesemonger: in the Debtors Prison for London and Middlesex.—*Chas. Thos. Wildey*, High Holborn, Middlesex, coach-spring maker: in the Debtors Prison for London and Middlesex.—*Jas. Edgcombe*, Old Compton-st., Soho, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*T. Farmer*, Upper Belgrave-terrace, Pimlico, Middlesex, wood merchant: in the Debtors Prison for London and Middlesex.—*John Bridger Palmer*, Drury-lane, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Richard Swann*, Cross-st., Blackfriars-road, Surrey, butcher: in the Gaol of Horsemonger-lane.—*Henry Collin*, York-row, Kennington-road, Surrey, furrier: in the Gaol of Horsemonger-lane.—*Hen. Bourchier*, Halsey-terrace, Cadogan-st., Sloane-st., Chelsea, Middlesex, rear admiral in the Royal Navy: in the Queen's Prison.—*Hen. Bidwell Dunn*, Pembroke-terrace, Kensington, Middlesex, attorney's clerk: in the Queen's Prison.—*Jos. Woodward*, Grosvenor-row, Pimlico, Middlesex, potato dealer: in the Queen's Prison.—*Jas. Palmer*, Smith's-terrace, King's-road, Chelsea, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Jonathan Wurr*, Ship-yard, Speck's-buildings, Heneage-street, Brick-lane, Spitalfields, Middlesex, waterproof cover manufacturer: in the Debtors Prison for London and Middlesex.—*George Farmer* the younger, Burton-street, Eaton-sq., Pimlico, Middlesex, cattle dealer: in the Debtors Prison for London and Middlesex.

(On Creditors' Petition).

James Fell, Claremont-square, Pentonville, Middlesex, part patentee of Fell's new system of railway propulsion: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Wm. Armitage, Salford, Lancashire, provision dealer: in the Gaol of Lancaster.—*John Brewer*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*James Maddicott Bovey*, Torquay, Devonshire, painter: in the Gaol of St. Thomas the Apostle.—*Edwin Fawcett*, Chorlton-upon-Medlock, Manchester, bookseller: in the Gaol of Lancaster.—*Charles Hilling*, Hoarwithy, Hentland, Herefordshire, drillman: in the Gaol of Hereford.—*Peter Pickering*, Liverpool, butcher: in the Gaol of Lancaster.—*Thomas Palmer* the younger, Coventry, Warwickshire, cowkeeper: in the Gaol of Coventry.—*Henry Rowe*, Clavering, Essex, assistant to a plumber: in the Gaol of Springfield.—*Thomas Roscow*, Farnworth, near Bolton-le-Moors, Lancashire, brewer: in the Gaol of Lancaster.—*John B. Smith*, Salford, Lancashire, manager in a cotton mill: in the Gaol of Lancaster.—*Job Henry Shackleton*, Marsden, near Burnley, Lancashire, assistant to a mousseline-de-laine manufacturer: in the Gaol of Lancaster.—*William Swinburn*, Hulme, Manchester, provision dealer: in the Gaol of Lancaster.—*Thomas Stanton*, King's Lynn, Norfolk, master mariner: in the Gaol of St. Thomas the Apostle.—*Thos. Smith*, Utley, Keighley, Yorkshire, farmer: in the Gaol of York.—*T. Thexton*, Ardwick, Manchester, railway porter: in the Gaol of Lancaster.—*Wm. Williams*, Dowlais, Merthyr Tydvil, Glamorganshire, licensed victualler: in the Gaol of Cardiff.—*Edw. Clemmy*, Chorlton-upon-Medlock, Manchester, joiner: in the Gaol of Lancaster.—*Enoch Evans*, Llanwenarth, Monmouthshire, licensed victualler: in the Gaol of Monmouth.—*Abraham Evans*, Merthyr Tydvil, Glamorganshire, licensed victualler: in the Gaol of Cardiff.—*Jos. Hall*, Chester, baker: in the Gaol of Chester.—*Samuel Jones*, Merthyr Tydvil, Glamorganshire, grocer: in the Gaol of Cardiff.—*James Murrell*, Norwich, dealer in glass: in the Gaol of Norwich.—*James Peacop*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*James Wilding*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Wm. Wilson*, Everton, Liverpool, retail dealer in ale: in the Gaol of Lancaster.—*Joseph Dyson*, Hopton in Mirfield, near Dewsbury, Yorkshire, scribbling miller: in the Gaol of York.—*James Mills*, York, out of business: in the Gaol of York.—*Charles Weston*, Petworth, Sussex, carpenter: in the Gaol of Petworth.—*Joseph Robinson*, Newcastle-upon-Tyne, grocer: in the Gaol of Newcastle-upon-Tyne.—*John Slinger* the younger, Lancaster, out of business: in the Gaol of Lancaster.—*Chas. Stones*, Sheffield, Yorkshire, edge tool forger: in the Gaol of Sheffield.—*Thomas Walker*, Newcastle-upon-Tyne, insurance broker: in the Gaol of Newcastle-upon-Tyne.—*F. Clementson*, Shelton, Stoke-upon-Trent, Staffordshire, in no business: in the Gaol of Stafford.—*Thomas Walters*, Worcester, shoemaker: in the Gaol of Worcester.—*John Kenney*, Everton, near Liverpool, builder: in the Gaol of Lancaster.—*William Pearson* the younger, Louth, Lincolnshire, miller: in the Gaol of Lincoln.

(On Creditors' Petition).

John Llewellin, Bristol, attorney: in the Gaol of Bristol.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 15 *at* 10, *before Mr. Commissioner* PHILLIPS.

John B. North, Blackmoor-street, Drury-lane, Middlesex, licensed victualler.—*Chas. James Watts*, Prospect-place, Upper Clapton, Middlesex, out of employ.—*George Blackstone*, Upper Church-street, Chelsea, Middlesex, waiter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at SWANSEA, *May* 12 *at* 10.

Wm. Rees, Swansea, printer.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *May* 18 *at* 10.

Abraham Isaacs, Newcastle-upon-Tyne, out of business.

At the County Court of Dorsetshire, at DORCHESTER, *May* 17 *at* 12.

Wm. Phillips, Hawkchurch, near Lyme Regis, dairyman.

At the County Court of Gloucestershire, at GLOUCESTER, *May* 14 *at* 10.

Aaron W. Gay, Cheltenham, attorney at law.—*Geo. Hayward*, Downend, Mangotsfield, labourer.

At the County Court of Somersetshire, at TAUNTON, *May* 10.

Thos. Game, Haydon, near Sherborne, baker.

At the County Court of Norfolk, at NORWICH CASTLE, *May* 11.

Edmund Clarke, Upton, labourer.

At the County Court of Kent, at DOVER, *May* 25 *at* 10.

Edwin T. Coulton, Deal, comedian.

At the County Court of Yorkshire, at YORK CASTLE, *May* 17 *at half-past* 3.

Henry Redfern, Sheffield, saw maker.—*H. Idle*, Leeds, out

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of business.—*Francis Clough*, Doncaster, draper.—*Edward Alderson*, Richmond, joiner.—*J. Wainwright*, Goole, schoolmaster.—*Charles Burrell*, Leeds, butcher.—*John Yeadon*, Yeadon, near Leeds, labourer.

May 18 *at* 9, *at the same place.*

Thomas Bates, Manningham, near Bradford, innkeeper.—*John Booth*, Northowram, near Halifax, shoemaker.—*W. W. Horsfield*, Dewsbury, assistant draper.—*Jeremiah Addison*, Great Ouseburn, near Boroughbridge, out of business.—*Eliz. Jowett*, Bradford, servant.—*Benjamin Myers*, Nether Green, Woodhouse Carr, near Leeds, out of business.—*K. Kettlewell*, Headingley, near Leeds, silversmith.—*Wm. B. Baker*, York, pork butcher.—*Henry Saffran*, Huddersfield, fancy woollen manufacturer.—*James Dillon*, York, beer seller.—*T. Smith*, Keighley, farmer.—*Jos. Osborn*, Sheffield, dealer in cutlery.—*Robert Tolson*, Huddersfield, merchant.—*Jonathan Swallow*, Lockwood, near Huddersfield, salesman.—*Thos. Smith*, Halifax, card maker.—*Edw. G. Cowper*, Saddleworth, auctioneer.—*Robt. Sowhill* the younger, Stokesley, baker.—*Geo. Eastburn*, Woodhouse Carr, near Leeds, out of business.—*Samuel Lamb*, Leeds, auctioneer.—*E. Jennings*, Leeds, plane maker.—*Wm. Bedford*, Gildersome, near Leeds, coal agent.—*Eliab Hill*, Bradford, slater.—*Isaac Canning*, Leeds, commission agent.—*Batty Euston*, Leeds, horse dealer.—*James Mills*, York, out of business.—*Wm. C. Hobson*, Harper-st., Theobald's-road, London, out of business.

At the County Court of Berkshire, at READING, *May* 17.

Charles Herridge, Hungerford, out of business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *May* 18 *at* 10.

Joseph Robinson, Newcastle-upon-Tyne, grocer.—*Thomas Walker*, Newcastle-upon-Tyne, merchant's clerk.

At the County Court of Sussex, at PETWORTH, *May* 18.

Charles Weston, Petworth, carpenter.

At the County Court of Monmouthshire, at MONMOUTH, *May* 30 *at* 11.

Enoch Evans, Llanwenarth, licensed victualler.

INSOLVENT DEBTORS' DIVIDENDS.

J. Sleigh, St. Andrew's-terrace, Philpot-st., Commercial-rd. East, Middlesex, lieutenant on half-pay in the navy: 1*s.* 6*d.* in the pound.—*James Pickford*, Hertford, carrier: 3*s.* 1½*d.* and 1*s.* in the pound.—*John Nicol*, Hornsea, Yorkshire, ship owner: 3½*d.* in the pound.—*Henry Wilson*, Grove-lane, Camberwell, Surrey, grocer: 8½*d.* in the pound.—*Rev. William Fletcher*, Harwell, near Abingdon, Berkshire, clerk: 6*d.* in the pound.—*Geo. Wm. Wilkinson*, Beaulieu, near Lymington, Hampshire, lieutenant in the navy: 5*s.* 4*d.* in the pound.—*John Heartwell*, Roworth, Glossop, Derbyshire, bleacher: 1*s.* in the pound.—*H. Denby Coggan*, Emmeline-cottages, Nursery-road, Brixton, Surrey, warehouseman: 1*s.* 1½*d.* in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

George Savage, victualler, at Gillard & Flook's, Bristol: 1*s.* 11*d.* in the pound.

FRIDAY, MAY 4.

BANKRUPTS.

GEORGE SHARP and ROBERT LILLINGTON FLUDER, Romsey, Southampton, timber merchants, May 15 at half-past 11, and June 15 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Sharp & Harrison, Southampton; Fludor, 1, Egremont-pl., New-road, London.—Fiat dated May 1.

GEORGE ANDREWS, King's Lynn, Norfolk, grocer, tea dealer, and tallow chandler, May 16 and June 13 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Harrison & Dobree, Hart-street, Bloomsbury.—Fiat dated May 4.

ROBERT BARNES, Woodbridge, Suffolk, innkeeper, dealer and chapman, May 10 at half-past 1, and June 14 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Ewington, Ipswich; Thwaites, Lyon's-inn, London.—Fiat dated May 2.

GEORGE DAY, Worcester, cattle dealer, dealer and chapman, May 15 and June 12 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Pullen, Worcester; Wright, Birmingham.—Fiat dated May 1.

BENJAMIN DICKISON, Little Tower-st., London, wine merchant, (lately trading under the firm of B. Vergara & Dickison, Port St. Mary's, Spain, and Little Tower-street, London, wine merchants), May 17 at half-past 11, and June 18 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Hill & Mathews, Bury-court, St. Mary-axe.—Fiat dated April 23.

FREDERICK EDWARD BALL, late of Downton, Wiltshire, grocer, dealer and chapman, but now of Christchurch, Hampshire, out of business, May 17 at 2, and June 14 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Chidley, 1, Guildhall-chambers, Basinghall-street.—Fiat dated March 5.

WILLIAM HURCOMBE, Bristol, timber dealer, dealer and chapman, May 18 and June 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Sabine, Bristol; Trehern & White, Barge-yard-chambers, Bucklersbury, London.—Fiat dated April 28.

CHARLES SHACKELL, Bristol, tailor and draper, dealer and chapman, May 17 and June 14 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Whittington & Gribble, Bristol; Surr & Gribble, Lombard-street.—Fiat dated April 5.

JOHN TAYLOR, Lincoln, butcher, dealer and chapman, May 23 and June 13 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Tweed, Lincoln; Shackles & Son, Hull; Jones & Sons, Millman-pl., Bedford-row, London.—Fiat dated April 26.

WILLIAM JACKSON, late of Trowbridge, Wiltshire, but now of Birkenhead, Cheshire, auctioneer, May 17 and June 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Hillier, Birkenhead; Frampton, Gray's-inn, London.—Fiat dated April 30.

MARY JANE SHEPHARD, Liverpool, victualler and innkeeper, dealer and chapwoman, May 17 and June 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Owen, Liverpool; Nethersole, New-inn, London.—Fiat dated April 28.

HUGH JONES, Waterside, Holyhead, Anglesey, innkeeper, dealer and chapman, May 15 and June 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Waring, 4, White Lion-court, Cornhill, London.—Fiat dated April 26.

JAMES HAWORTH, Clitheroe, Lancashire, common brewer, dealer and chapman, May 14 and June 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Trappes, Clitheroe; Atkinson & Co., Manchester; Smith, Lincoln's-inn-fields, London.—Fiat dated April 23.

SEYMOUR DODD, Manchester, fustian manufacturer, dealer and chapman, May 17 and June 7 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Sale & Co., Manchester; Reed & Co., Friday-street, Cheapside, London.—Fiat dated April 28.

MEETINGS.

John Lawton, Rickmansworth, Hertfordshire, coal merchant, May 19 at 2, Court of Bankruptcy, London, pr. d.—*Joseph F. Everett*, Red Lion-street, Clerkenwell, Middlesex, hydraulic engineer, May 18 at 11, Court of Bankruptcy, London, last ex.—*John Lewins*, Manchester, cabinet maker, May 18 at 12, District Court of Bankruptcy, Manchester, last ex.—*Henry Wilcox*, Manchester, tailor, May 15 at 12, District Court of Bankruptcy, Manchester, last ex.—*George Horton*, Russell's Hall Iron Works, near Dudley, Worcestershire, ironmaster, May 22 at 10, District Court of Bankruptcy, Birmingham, last ex.—*Wm. A. Warwick*, Chesterton, Cambridgeshire, and Cambridge, printer, May 28 at half-past 11, Court of Bankruptcy, London, and. sc.—*Henry Bentley*, Liverpool, commission agent, May 25 at 11, District Court of Bankruptcy, Liverpool, and. sc.—*Thomas White*, Liverpool, merchant, May 25 at 11, District Court of Bankruptcy, Liverpool, and. sc.; May 29 at 11, div.—*George T. Arnold*, Liverpool, news agent, May 25 at 11, District Court of Bankruptcy, Liverpool, and. sc.—*John Hinchcliffe*, Wakefield, Yorkshire, carrier, May 28 at 12, District Court of Bankruptcy, Leeds, and. sc.—*Wm. Ibbotson*, Sheffield, Yorkshire, merchant, May 26 at 10, District Court of Bankruptcy, Sheffield, and. sc.—*Abraham Nash*, Netherton, Worcestershire, scythe plater, June 6 at 12, District Court of Bankruptcy, Birmingham, and. sc.; June 7 at 12, div.—*James Halliday*, Rugely, Staffordshire, common brewer, May 26 at 12, District Court of Bankruptcy, Birmingham, and. sc.—*John Baker*,

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Wollaston, Oldswinford, Worcestershire, victualler, May 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Henry Whitfield*, Stafford, builder, May 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Hall*, Shrewsbury, Shropshire, timber merchant, May 26 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Fred. Ricketts* and *Trevenen James*, Moorgate-st., London, merchants, May 25 at 11, Court of Bankruptcy, London, div. sep. est. of *T. James*.—*Herbert Thomas*, Carmarthen, linen draper, May 25 at half-past 12, Court of Bankruptcy, London, div.—*John Jackson*, Upper Ranelagh-street, Pimlico, Middlesex, scrivener, May 25 at 1, Court of Bankruptcy, London, div.—*John Humphrey*, North Walsham, Norfolk, grocer, May 25 at 11, Court of Bankruptcy, London, fin. div.—*Robert Tippler*, Great Tower-street, London, colonial broker, May 25 at half-past 12, Court of Bankruptcy, London, div.—*Charles Andrews*, Brighton, Sussex, fruiterer, May 25 at half-past 1, Court of Bankruptcy, London, fin. div.—*J. Marshall*, Norwich, silk merchant, May 24 at half-past 11, Court of Bankruptcy, London, fin. div.—*Charles Reeves*, Bath, Somersetshire, marble mason, May 25 at 11, District Court of Bankruptcy, Bristol, div.—*Wm. Jones*, Park, near Cardiff, Glamorganshire, ship builder, June 4 at 11, District Court of Bankruptcy, Bristol, div.—*John C. Jennings* and *Wm. C. Jennings*, Bristol, provision merchants, May 29 at 11, District Court of Bankruptcy, Bristol, div.—*Alexander Nicholl* and *Wm. Nicholl*, Greetland, Halifax, Yorkshire, worsted spinners, May 25 at 11, District Court of Bankruptcy, Leeds, div.—*Joseph Beauland*, Birkenshaw Bottoms, Birstal, and Bradford, Yorkshire, woolstapler, May 25 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thos. John Colson and *Wm. M. Colson*, Upper Holloway, Friern Barnet, and Bett's-style, near Southgate, Middlesex, brickmakers, May 25 at half-past 1, Court of Bankruptcy, London.—*Elisha Allsop* and *David Allsop*, Arlington-place, Back-road, St. George's-in-the-East, Middlesex, builders, May 25 at 1, Court of Bankruptcy, London.—*James Ayers*, Elham, Kent, farmer, May 25 at half-past 11, Court of Bankruptcy, London.—*Wm. Springbett* and *Thos. Springbett*, Leadenhall-st., London, and Charlotte-row, Walworth-road, Surrey, wine merchants, May 28 at 12, Court of Bankruptcy, London.—*Wm. A. Warwick*, Chesterton, Cambridgeshire, and Cambridge, printer, May 28 at half-past 11, Court of Bankruptcy, London.—*James M'Gill*, Crimscott-street, Willow-walk, Bermondsey, Surrey, victualler, May 28 at half-past 12, Court of Bankruptcy, London.—*John Tily*, Cheltenham, Gloucestershire, chemist, May 25 at 11, District Court of Bankruptcy, Bristol.—*Rice Williams*, Pwllheli, Carnarvonshire, woollen draper, grocer, and tea dealer, May 25 at 12, District Court of Bankruptcy, Manchester.—*Geo. Bradshaw*, Welchpool, Montgomeryshire, linen draper, May 25 at 11, District Court of Bankruptcy, Liverpool.—*J. Armitage*, Linthwaite, Almondbury, Yorkshire, innkeeper, May 25 at 11, District Court of Bankruptcy, Leeds.—*Geo. Burton*, Bradford, Yorkshire, engraver, May 25 at 11, District Court of Bankruptcy, Leeds.—*Richard Fox*, Derby, stock dealer, June 8 at 11, District Court of Bankruptcy, Nottingham.—*Wm. Lloyd*, Madeley and Wryne-hill, Staffordshire, linen draper, June 6 at 12, District Court of Bankruptcy, Birmingham.—*Edw. Davis*, Marnhull, Dorsetshire, cattle dealer, May 31 at 1, District Court of Bankruptcy, Exeter.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 25.

Jas. S. Turner, Woolwich, Kent, surgeon.—*Jas. Soutter* and *Wm. F. Hammond*, Limehouse, Middlesex, engineers.—*Wm. Y. Dent*, Leeds, Yorkshire, manufacturing chemist.—*James Gill*, Litherland, near Liverpool, coal merchant.—*N. Daniell*, Charlotte-street, Fitzroy-square, Middlesex, dentist.—*Thomas Raymond*, Bishop's-road, Paddington, Middlesex, builder.—*George Davison*, Princes-street, Turk-street, Bethnal-green, Middlesex, leather seller.—*Geo. Douglas*, Bury, Lancashire, draper.—*Geo. Eastwood*, Manchester, fustian manufacturer.—*C. F. Ellerman* and *H. S. Coleman*, St. Martin's-lane, Westminster, Middlesex, merchants.—*William M'Grave*, Skinner-street, Bishopsgate-street Without, London, cabinet manufacturer.—*Mary Guy* and *Henry Smith*, Farringdon-street, and Ludgate-hill, London, linen drapers.—*Elias Nelson*, Ironbridge, Madely, Shropshire, clothier.—*Geo. Maddock*, Burslem, Staffordshire, grocer.—*Thos. L. Walker*, Nuneaton, Warwickshire.—*E. W. Kelsall*, Nuneaton, Warwickshire.—*E. B. Clayton*, Welbeck-st., Marylebone, Middlesex, dentist.—*Hannah Husband*, Richmond, Yorkshire, innkeeper.

FIAT ANNULLED.

Thomas Tipson, Birmingham, factor.

PARTNERSHIP DISSOLVED.

John H. Lardner and *E. N. Dawes*, Rye, Sussex, attornies at law and solicitors.

SCOTCH SEQUESTRATIONS.

Wm. Kirkpatrick, Girthon, and Stewartry of Kirkcudbright, draper.—*R. M. Connal & Co.*, Alloa, brewers.—*J. C. Henderson*, Glasgow, merchant.

DECLARATION OF INSOLVENCY.

David Morris, Liverpool, butcher, May 14 at 10, County Court of Lancashire, at Liverpool.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

J. B. Bowker, Bishop's Stortford, Hertfordshire, attorney at law, May 11 at half-past 11, County Court of Hertfordshire, at Bishop's Stortford.—*Charles Snow*, Bristol, licensed victualler, June 6 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Fussell*, Bristol, gardener, June 6 at 11, County Court of Gloucestershire, at Bristol.—*Henry Dean*, Bristol, out of business, June 6 at 11, County Court of Gloucestershire, at Bristol.—*Samuel Wakefield*, Bristol, beer retailer, June 6 at 11, County Court of Gloucestershire, at Bristol.—*Edw. Hatten* the younger, Wheatley, Oxfordshire, out of business, May 22 at 2, County Court of Oxfordshire, at Oxford.—*Wm. Prince*, Reading, Berkshire, tailor, May 17 at 10, County Court of Berkshire, at Reading.—*Wm. Hughes*, Esq., Plymouth, Devonshire, barrister at law, June 21 at 11, County Court of Devonshire, at Plymouth.—*T. H. Nimmo*, Reading, Berkshire, gas engineer, May 17 at 10, County Court of Berkshire, at Reading.—*C. Markwick*, Brighton, grocer, May 11 at 1, County Court of Sussex, at Brighton.—*Charles Davies*, Hubberstone, Pembrokeshire, butcher, May 18 at 9, County Court of Pembrokeshire, at Haverfordwest.—*John Willmott*, Stourport, Worcestershire, butcher, May 16 at 9, County Court of Worcestershire, at Kidderminster.—*Sophia Goodall*, widow, Gnosall, Staffordshire, out of business, May 16 at 11, County Court of Shropshire, at Newport.—*George Mulley*, Ipswich, Suffolk, bricklayer, May 17 at 10, County Court of Suffolk, at Ipswich.—*Thomas Smith*, Ipswich, Suffolk, out of business, May 17 at 10, County Court of Suffolk, at Ipswich.—*James Norbrook* the elder, Ipswich, Suffolk, saddler, May 17 at 10, County Court of Suffolk, at Ipswich.—*Robert Ward*, Flemingate, Beverley, Yorkshire, bricklayer, May 15 at 11, County Court of Yorkshire, at Beverley.—*Richard Baker* the younger, Denford, near Thrapston, Northamptonshire, farmer, May 17 at 11, County Court of Northamptonshire, at Thrapston.—*Benj. G. Morris*, Bunker's-hill, near Bradford, Yorkshire, bookbinder, May 26 at 11, County Court of Yorkshire, at Bradford.—*David Stott*, Rochdale, Lancashire, beer retailer, May 24 at 12, County Court of Lancashire, at Rochdale.—*W. Daniels*, Mobley, Berkeley, Gloucestershire, butcher, May 28 at 10, County Court of Gloucestershire, at Dursley.—*T. Johnson*, Sambourne, Warwickshire, out of business, May 17 at 3, County Court of Warwickshire, at Alcester.—*T. Hatton*, Bidford, Warwickshire, victualler, May 17 at 3, County Court of Warwickshire, at Alcester.—*T. Goodchild*, Newmarket, Cambridgeshire, butcher, May 19 at 1, County Court of Cambridgeshire, at Newmarket.—*Richard Morris*, Aston Cantlow, Warwickshire, out of business, May 17 at 3, County Court of Warwickshire, at Alcester.—*James P. Hill*, Honiton, Devonshire, surgeon, May 16 at 10, County Court of Devonshire, at Honiton.—*Thomas Hurd*, Honiton, Devonshire, clock maker, May 16 at 10, County Court of Devonshire, at Honiton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 18 *at* 10, *before the* CHIEF COMMISSIONER.

Phillip Phillips, Crispin-st., Spitalfields, Middlesex, watch-

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maker.—*Hen. Rob. Nichols*, Long-alley, Moorfields, Middlesex, cabinet maker.—*Rich. Harding*, Pont-street, Belgrave-square, Middlesex, stationer.—*Jon. Dowsett*, Plough-yard, Shoreditch, Middlesex, bricklayer.—*Rob. Scargill*, Foley-st., Portland-place, Middlesex, solicitor's clerk.—*J. Greenaway*, Westmoreland-place, City-road, Middlesex, watch finisher.—*Uriah Bromwich*, John-street-road, Middlesex, grocer's shopman.

May 19 *at* 10, *before Mr. Commissioner* PHILLIPS.

Richard Bance, Exeter-st., Sloane-st., Chelsea, Middlesex, beer seller.—*Daniel Buckle* the younger, Upper Baker-street, Lloyd-square, Pentonville, Middlesex, engraver.—*Alexander Maugham*, Burdett-st., Westminster-road, Lambeth, Surrey, coffee-house keeper.—*Wm. Durand Cooper*, King's-row, Walworth, Surrey, time-keeper on the London and Dover Railway.—*Chas. Holyoake Beaumont*, Artillery-place West, Bunhill-row, Middlesex, out of business.—*James Rix*, William-st., Canal-road, Hoxton Old-town, Middlesex, bricklayer.—*Fred. Turner*, Queen-st., Tower-hill, and Park-row, Stepney, Middlesex, wine cooper.

May 21 *at* 10, *before Mr. Commissioner* LAW.

John Brotherston, Gee-st., Goswell-st., Middlesex, carpenter.—*Fred. Atkins Billing*, Ann-st., Waterloo-road, Surrey, out of business.—*Geo. Langridge*, Powell-street West, King-st., Goswell-road, Middlesex, assistant to a Manchester warehouseman.—*Chas. Andrew George Sivrac*, Harewood-place, Dorset-square, Middlesex, clerk in the Board of Trade.—*Philip Larking*, Queen-st., King's-road, Chelsea, Middlesex, wheelwright.—*Jonathan Taylor*, Essendon, West-end, Hertfordshire, labourer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 18 *at* 11, *before Mr. Commissioner* HARRIS.

Christopher Ludwig Friedrich Herrman Knuth, Red Lion-st., Clerkenwell, Middlesex, manufacturer of pocket books.—*John Julian Jackson*, Schofield-place, Fulham-road, Middlesex, dyer.—*Rob. Boyne*, Oakley-terrace, Old Kent-road, Surrey, cheesemonger.—*Rob. Corry Leman*, Montague-st., Russell-square, Middlesex, assistant to a lodging-house keeper.—*Wm. Grammar Clark*, Carlisle-lane, Westminster-road, Lambeth, builder.

May 21 *at* 10, *before the* CHIEF COMMISSIONER.

Sam. Cozens, Charlton, Andover, Hampshire, carpenter.—*Calvin Martin*, Woburn-buildings, Tavistock-square, Middlesex, commission-agent.—*Charles Alderton*, Coppice-row, Clerkenwell, Middlesex, hard-wood cutter.—*William Astins*, Queen-st., Hoxton-market, Hoxton, Middlesex, engraver.

May 21 *at* 10, *before Mr. Commissioner* LAW.

Wm. Jones, Berkeley-st. West, Connaught-square, Edgeware-road, Middlesex, clerk to a tea dealer.—*Augustus Fred. Ford*, Union-st., Southwark, Surrey, bootmaker.—*J. Burnley Worster*, Union-st., Blackfriars-road, Surrey, out of employ.—*Francis Allan*, Cheyne-row, Chelsea, Middlesex, pianoforte maker.—*George Cook*, St. John's-lane, West Smithfield, Middlesex, in no employ.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, *May* 23.

Thomas Palmer the younger, Coventry, out of business.

At the County Court of Carmarthenshire, at CARMARTHEN, *May* 22 *at* 2

Wm. Hen. Land, Bryneeire, Llanelly, sharebroker.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *May* 19 *at* 10.

James Waldron, Plymouth, brewer.—*James Maddicott Bovey*, Torquay, Formoham, painter.—*Thos. Stanton*, King's Lynn, Norfolk, master mariner.—*John Narracott* the younger, Totness, coal dealer.—*George Smith*, Exeter, surveyor.—*Wm. Laramy* the younger, Braunton, near Barnstaple, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

Henry Storrer, Kingston-upon-Hull, cement manufacturer, Levett & Co.'s, Kingston-upon-Hull: 14*s.* 6*d.* in the pound.—*Peter Smith Sampson*, Ipswich, silk mercer, May 5, S. B. Jackaman's, Ipswich: 20*s.* in the pound.

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The Jurist

No. 644—Vol. XIII. MAY 12, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inne Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, MAY 12, 1849.

We are glad to perceive that a subject which has been again and again brought forward in The Jurist, viz. the extension of the sphere of action of the county courts, by giving to them an equity jurisdiction, is beginning to be noticed publicly by other lawyers *. *Why* these courts had not such a jurisdiction when they were created, is difficult to understand; and it is satisfactory to hear that there is, or is shortly to be, a legislative scheme for conferring it upon them. The propositions contained in the pamphlet referred to appear to us unnecessarily to complicate the matter; though on the principal point, which is the limit to be put upon the extent of the equitable jurisdiction of county courts, we agree with the writer, that the limit should be that mimimum of value at stake, below which no sane lawyer ever advises a client to go into Chancery.

Mr. Heberden's idea is, to give to county courts a jurisdiction in equity as to certain specific classes of subjects, such as to set aside deeds, &c. obtained by fraud, undue influence, &c.; to administer the estates of deceased persons; to enforce contracts; and to give relief on some other subjects of equitable jurisdiction. Now, to us it appears, that the mere simple and beneficial thing for the public would be to declare county courts broadly, courts of equity, with all the jurisdiction of the superior courts of equity; limiting only the range, as to value or other ground of measurement, within which the jurisdiction is to be exercised; for it is impossible to mention any subject on which great equitable disputes arise, on which, among the less wealthy classes, small ones do not also occur. Persons of small property enter into contracts for sales and leases of real estate or chattels; they make unintelligible wills; they pirate each others literary property; and they make settlements under which trustees cannot or will not act; they commit, in fact, exactly the same sins, and are guilty of exactly the same negligences, as their wealthier fellow-subjects, and require, therefore, exactly the same species of judicial assistance, only the subject-matter of their disputes and negligences cannot bear the cost of the judicial assistance afforded by a superior Court of Chancery. We should prefer, therefore, to see the county courts made simply courts of equity, with the same jurisdiction as the Court of Chancery. Of course much difference of opinion will prevail as to what should be the limit of jurisdiction in point of amount. For ourselves we should say, that wherever the property in dispute, or to be administered, does not exceed 150*l.*, it should be compulsory on parties to proceed in the county court; and that where it does not exceed 250*l.*, the county court should be capable of entertaining the suit by consent of both parties. For we are quite sure, that a disputed right of property of not more than 150*l.* in value, has no chance of ever passing through a superior court of equity into the hands of the rightful claimant, without such a diminution, in the shape of extra costs, even if he succeeds with costs, as to make it a victory scarcely worth the purchase; and we are equally sure, that any such litigation, when the costs are paid by the estate, will consume the whole subject-matter of dispute in the process of ascertaining the rights of the disputants. Mr. Heberden suggests, and, we think, wisely, that written pleadings and written evidence must not be used under an equity county

* See a pamphlet entitled "A Letter to Sir T. Romilly, S. G.," &c., by Charles Heberden, Esq., Barrister. London, 1849.

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court jurisdiction; meaning, we presume, by written pleadings and evidence, such as are used in Chancery. But we doubt the wisdom, or indeed the practicability, of dispensing with some specific forms of plaint and defence. A modification of the forms of proceeding already framed for, and adopted in, the county courts, adapting them to the purposes of an equitable jurisdiction, would not be a difficult task. But it will, we trust, be kept in mind by those to whom the preparation of any measure for giving equity jurisdiction to the county courts should be entrusted, that a considerable extent of precision in the form of proceeding will be as essential in the administration of equity between poor litigants as it is between rich ones. There is another point, to which we trust attention will be paid, and that is, the retention for the public of the services of really educated and respectable legal practitioners. It is a question, whether the effect of the present county courts jurisdiction would not be more beneficial to the public, if for demands at least above 10*l.* the scale of costs were such as to induce educated solicitors to practice in the county courts, or at least were not such as almost entirely to exclude them. The true principle has always appeared to us to be this: that either no agents at all should be employed, or that the properly educated and respectable practitioner alone should be employed. Hence, in certain cases, we should say, for common-law cases under 10*l.*, and in equity cases under 30*l.*, it should be compulsory on parties to conduct their own cases; they should not, in such cases, be allowed to appear by any person whatever. But in cases above the particular fixed minimum, the costs to be allowed in taxation should be such as to enable parties to avail themselves of the advice and assistance of professional men who have a professional reputation at stake. We trust, that, if the jurisdiction of the county courts be extended in amount at common law, and, in point of jurisdiction, to equity, this point will be kept in view. If it is not, the county courts will be less useful than they might be.

There is one other point, with respect to an equity jurisdiction, to which we would call the attention of the Profession, and that is, how the standard is to be fixed for cases where there is no positively ascertainable value at stake—such as cases of piracy, nuisance, and the like. These cases, we apprehend, might be dealt with by limiting the amount of the account which the defendant is to render, where, in Chancery, an account of profits would be ordered; and by fixing a particular amount of damages, beyond which the plaintiff should not be entitled to recover at law, if the case were one for recovering damages at law as well as for relief in equity. In cases of specific performance, there would be no difficulty. If the agreement were for a purchase at a given price, of course there could be none. If it were for a lease, the calculated value of the lease would afford the means of determining whether the case would fall within the prescribed standard of value. Neither could there be any great difficulty in framing forms of proceeding. The judges found none in adapting forms to the requirements of the present county courts jurisdiction; and we doubt not, that any of the equity judges, or, indeed, any two or three equity counsel of experience, would very easily frame rules and forms of procedure for suits in equity in the county courts.

Reviews.

A Summary of the Law of Attornies and Solicitors, &c. By Alexander Pulling, *Esq., Barrister.* [*London: Butterworth*, 1849.]

This will be found a very useful work to most young, and to many old, members of the junior branch of the Profession, whose rights, duties, and liabilities are much more extensive and multifarious than many imagine.

"The ordinary business of attornies and solicitors," says Mr. Pulling, "at the present day, extends over a 'very wide field; they are not only engaged in conducting the formal proceedings, both in civil and 'criminal cases, in our courts of justice, and in serving 'and receiving the requisite process, pleadings, and 'notices in such cases, and attending the courts, judges, 'and public offices, but the arduous and responsible 'duties devolve on them of previously investigating 'the matters in controversy, (by personal communication with the client they are retained for), collecting 'and analysing the evidence of the client's case, summoning the necessary witnesses, and taking down 'notes of the depositions preparatory to their being 'sworn and examined in the cause, preparing and delivering the briefs, &c. for the trial or hearing, and 'taking the necessary proceedings consequent on the 'judgment of the Court.

"In addition to these duties in courts of justice, 'this class of practitioners are also generally employed 'in soliciting business in Parliament, obtaining *private* 'acts, and attending Parliamentary committees, the 'Privy Council, &c., and acting as agents before the 'revenue and other public boards of commissioners, 'and generally on behalf of such public bodies, corporations, and public companies.

"It appears, moreover, to come within the legitimate and peculiar province of attornies and solicitors, 'at the present day, to draw and prepare agreements, 'wills, deeds, settlements, securities, and documents, '(though this was formerly considered out of their 'province), and also to conduct negotiations, procure 'and solicit loans, superintend the management of, and 'the letting, purchasing, and selling of property, estates 'and annuities; to collect and receive rents, debts, &c. 'invest and dispose of monies, and find sufficient secu'rities for such purposes; to investigate the titles to 'property offered as securities or investments; make 'arrangements between debtors and creditors, and par'ties in numerous other relations, domestic or commer'cial: thus acting generally in the distinct character 'of *procurators, negotiators, conveyancers, confidential* 'advisers, *agents, stewards, receivers, collectors*, &c., and 'performing a portion of the duties anciently devolved 'on *scriveners*."

From these positions, every one of which Mr. Pulling supports by a reference to authorities, it will be seen that the difficulty is rather to ascertain what is not than what is, proper professional business for an attorney or solicitor. Mr. Pulling explains very clearly to his readers at the outset, that he does not profess to soar into the regions of moral or intellectual advice for solicitors and attornies, but merely to inform them what is their exact status—what their duties, liabilities, rights, and privileges, legal and equitable. His work is, consistently with this plan, strictly a law book, and authorities are referred to in support of every material statement. We recommend particularly to the attention of young attornies the passages on t

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retainer of attornies, pp. 94 et seq., and those on the liability of attornies for negligence, &c., pp. 231 et seq.; two points on which inexperienced attornies are apt to have very vague notions, calculated to expose them to dangers, from which a careful perusal of the accurate information conveyed by Mr. Pulling may guard them. The whole subject of the law affecting the rights and duties of attornies and solicitors is, however, fully and, as it appears to us, concisely and well discussed; and Mr. Pulling has produced a work calculated to be of great practical utility to the branch of the Profession for whose guidance it is principally destined.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN.—Felix Richard Beddingfield, Esq.; William Ribton, Esq., B.A.; William Layton Lowndes, Esq., M.A.; William Brodrick, jun., Esq., M.A.; William Wilberforce, Esq., M.A.; Francis George Bernard, Esq., M.A.; Arthur Cayley, Esq., M.A.; John Barton Arundel Ackland, Esq., M.A.

INNER TEMPLE, *May* 4.—Henry King, Esq., M.A.; Robert George Johnson, Esq.; William George Mount, Esq., M.A.; Jeremias G. J. Greene, Esq., B.A.; Thomas Green, Esq.; Charles Swinton Hogg, Esq., B.A.; George Browne, Esq., B.A.; William Patrick Adam, Esq., B.A.; Francis Ellis, Esq., B.A.; H. W. B. Thomson, Esq., B.A.; Nathaniel Joseph, Esq., B.C.L.; Thomas Collins, Esq.; J. Turton Woolley, Esq., B.A.; Thomas Lomax, Esq., B.A.; John Tomlinson Hibbert, Esq., B.A.; Charles Parke, Esq., B.A.

MIDDLE TEMPLE, *April* 20.—Richard Samuel Sisson, Esq. *May* 4.—William Pike, Esq.; Auguste Victor Barreau, Esq.; David Salomons, Esq.; Robert Sacherel Wilmot Sitwell, Esq.; William Taylor Haly, Esq.; Henry Northcote, Esq.

GRAY'S INN.—William Devoy, Esq.; John Raymond Grace, Esq.

London Gazettes.

TUESDAY, MAY 8.

BANKRUPTS.

RICHARD DEARIE, Charles-street, Soho-sq., Middlesex, licensed victualler, dealer and chapman, May 19 at half-past 1, and June 9 at 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Innes, 20, Billiter-street, London.—Fiat dated May 4.

EDWARD CAPSTICK, London-street, Greenwich, Kent, upholsterer, draper, dealer and chapman, May 22 at 12, and June 19 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Mardon & Pritchard, Christchurch-chambers, Newgate-street.—Fiat dated May 1.

JAMES DAVIES, Weston-st., Bromley, Middlesex, builder, dealer and chapman, May 16 at half-past 11, and June 21 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, Charlotte-row, Mansion-house, London.—Fiat dated May 7.

JAMES KILLICK, Dorking, Surrey, carpenter and builder, May 14 at half-past 11, and June 25 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Messrs. Smallpiece, New-square, Lincoln's-inn-fields.—Fiat dated May 2.

WILLIAM BUSH, Great Green-street, Kentish-town, Middlesex, builder, dealer and chapman, May 17 at 11, and June 19 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Ivimey, 26, Chancery-lane. — Fiat dated May 5.

EDWARD YATES, Leeds, Yorkshire, veterinary surgeon and blacksmith, dealer and chapman, May 21 and June 12 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Middleton, Leeds; Sudlow & Co., Bedford-row, London.—Fiat dated May 4.

ALFRED BALDWIN EAST, Birmingham, scrivener, dealer and chapman, May 23 and June 20 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Spencer & Rollings, Birmingham.—Fiat dated April 30.

WILLIAM PHILLIPS, Brynmawr, Brecknockshire, draper, dealer and chapman, May 24 and June 21 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Prideaux & Son, Bristol; Holme & Co., New-inn, London.—Fiat dated April 30.

THOMAS MADDOCKS the younger, now of Bollow, Westbury-upon-Severn, Gloucestershire, and late of Pencoyd, near Ross, Herefordshire, cattle and sheep salesman, farmer, dealer and chapman, May 22 and June 19 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Wilkes, Gloucester.—Fiat dated May 1.

JOHN BELL and JAMES BELL the younger, Richmond, Yorkshire, drapers, (carrying on the business of drapers at Richmond, under the name, style, or firm of John Bell & Co.), May 24 and June 14 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Courtenay, Leeds; Robinson, Richmond; Tilson & Co., Coleman-street, London.—Fiat dated April 30.

CHARLES GOUGH, Altrincham, Cheshire, ironmonger, dealer and chapman, May 24 and June 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Cunnah, Chester; Raw, Furnival's-inn, London.—Fiat dated May 1.

THOMAS TINDLE, South Shields, Durham, banker and ship owner, dealer and chapman, May 21 at 12, and June 19 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Griffith & Crighton, Newcastle-upon-Tyne; Lawrence & Co., 25, Old Fish-street, Doctors'-commons, London.—Fiat dated April 23.

JAMES HYMERS, Gateshead, Durham, newspaper proprietor and banker, May 22 and June 14 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Thomas & William Chater, Newcastle-upon-Tyne.—Fiat dated April 19.

MEETINGS.

Joseph Woodhams, Tonbridge, Kent, grocer, May 30 at 12, Court of Bankruptcy, London, aud. ac.—*John Geo. Fuller*, St. James's-st., Middlesex, and Streatham, Surrey, wine merchant, May 30 at 11, Court of Bankruptcy, London, aud. ac.—*John Christie*, *Robt. Christie*, and *John Stewart*, Mark-lane, London, and Manchester, merchants, May 30 at 11, Court of Bankruptcy, London, aud. ac.—*James Thomson*, King-street, Camden-town, Middlesex, draper, May 30 at 11, Court of Bankruptcy, London, aud. ac.—*James Robinson*, Slough, Buckinghamshire, grocer and cheesemonger, May 29 at 11, Court of Bankruptcy, London, aud. ac.—*Geo. Morris*, West Cowes, Isle of Wight, Southampton, baker, May 31 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Menadue*, Liskeard and Camborne, Cornwall, watchmaker, June 6 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 7 at 1, div.—*Francis Davis*, Weymouth and Melcombe Regis, Dorsetshire, wine merchant, May 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 31 at 1, div.—*Harry Warr*, Bridport, Dorsetshire, currier, May 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 31 at 1, div.—*Richard Moyle*, Penryn and Redruth, Cornwall, ironmonger, May 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.; May 31 at 1, div.—*John Perry*, Exeter, cheese dealer, June 6 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 7 at 1, div.—*Richard Martin*, Tavistock, Devonshire, tanner, June 6 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 7 at 1, div.—*Wm. Harris* and *Henry Harris*, Wrexham Paper-mills, Denbighshire, paper manufacturers, May 30 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Potter*, Birkenhead, Cheshire, merchant, May 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Rich. Goulding*, Gainsborough, Lincolnshire, cabinet maker, June 6 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*John Morfitt* the younger, New Wortley, Leeds, Yorkshire, flax spinner, May 31 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Joseph Swift* and *Tom North Swift*, Huddersfield, Yorkshire, chemists, May 31 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Robert Kimpton*, Crescent, Jewin-st., Cripplegate, London, jeweller, May 31 at 1, Court of Bankruptcy, London, div.—*Henry Wm. Hemsworth*, Primrose-street, Bishopsgate-street,

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wine merchant, May 31 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Cannon, Prospect-place, Ball's-pond, Middlesex, bricklayer, June 6 at 11, Court of Bankruptcy, London.—*Joseph Johnson* the younger, Uxbridge, Middlesex, and Iver, Buckinghamshire, common carrier, May 29 at 12, Court of Bankruptcy, London.—*Wm. Pithy*, Philpot-lane, Fenchurch-street, London, merchant, May 31 at 11, Court of Bankruptcy, London.—*Wm. Waterman*, Brenchley, Kent, farmer, May 31 at 1, Court of Bankruptcy, London.—*W. Simmons*, Piccadilly, Middlesex, tobacconist, May 30 at 1, Court of Bankruptcy, London.—*George Rait*, Moorgate-st., London, tailor, May 30 at 11, Court of Bankruptcy, London.—*Charles Sneezum*, Woodbridge, Suffolk, grocer, May 30 at half-past 11, Court of Bankruptcy, London.—*James Robinson*, Slough, Buckinghamshire, grocer, May 29 at 11, Court of Bankruptcy, London.—*Edward Burnell* the younger, Hanham, Bitton, Gloucestershire, cattle dealer, May 31 at 11, District Court of Bankruptcy, Bristol.—*Edwin Brooker*, Cheltenham, Gloucestershire, carver, May 31 at 12, District Court of Bankruptcy, Bristol.—*Thos. B. Jones*, Brecon, maltster, May 29 at 11, District Court of Bankruptcy, Bristol.—*Wm. Lee Adams*, Selby, Yorkshire, clockmaker, May 29 at 11, District Court of Bankruptcy, Leeds.—*James Cooper*, Newcastle-under-Lyme, Staffordshire, smallware dealer, June 12 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before May 29.

James Thompson, Leeds, Yorkshire, tea dealer.—*Robert Ashforth*, Birmingham, hardwareman.—*Thomas Nesbitt* and *Robert Cairns Nesbitt*, Sunderland, Durham, brewers.—*Christopher John Spence*, Stockton-upon-Tees, Durham, timber merchant.—*Joseph R. Price*, Aberdare Iron-works, Glamorganshire, druggist.—*Wm. Thornley*, Ripley, Derbyshire, grocer.—*Thos. Wilcock*, Eagle Coffee-house, Houndsditch, London, cutler.—*Abraham J. Crowther*, Church Garforth, Yorkshire, draper.—*John Holley*, Norton St. Philip, Somersetshire, miller.—*John Frayne*, North Molton, Devonshire, draper.

FIAT ANNULLED.

John Wesson, Nottingham, lace manufacturer.

SCOTCH SEQUESTRATION.

Wm. Wilson, New Scone, near Perth, wool spinner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Anstey, Birmingham, fruiterer, May 21 at 2, County Court of Warwickshire, at Birmingham.—*Benjamin Badwin*, Walton, Somersetshire, teazle dealer, June 1 at 11, County Court of Somersetshire, at Wells.—*John Lawrence Hinton*, East Stonehouse, Devonshire, out of business, June 21 at 11, County Court of Devonshire, at Plymouth.—*James Law*, Kettering, Northamptonshire, stonemason, May 17 at 3, County Court of Northamptonshire, at Kettering.—*Daniel Smith*, Baveny-wood, Neen Savage, Shropshire, miner, May 25 at 10, County Court of Shropshire, at Cleobury Mortimer.—*Thomas Davies*, Briary-hill, Bedwillty, Monmouthshire, mason, May 24 at 10, County Court of Monmouthshire, at Tredegar.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 22 at 11, *before Mr. Commissioner* HARRIS.

James Philpott, Upper Whitecross-street, St. Luke's, Middlesex, cheesemonger.—*Fred. H. Collron*, Blackfriars-road, Surrey, tailor.—*Wm. John Laybourn*, Prebend-street, Camden-town, Middlesex, carpenter.—*John Hutherall*, Durham-street, Vauxhall, Surrey, out of business.—*John T. Goodwin*, Manchester-street, Gray's-inn-road, Middlesex, out of business.—*Thomas Steel*, William-street, Notting-hill, Kensington, Middlesex, baker.—*John C. Crittenden*, Prebend-place, Camden-town, Middlesex, out of business.

May 24 at 10, *before Mr. Commissioner* LAW.

James Goodman, Valentine-row, Blackfriars-road, Surrey, dealer in milk.—*Rebecca Durley*, London-street, Tottenham-court-road, Middlesex, out of business.

Saturday, May 5.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

J. Pearson, Gilding Wells, Yorkshire, farmer, No. 70,5[illegible] C.; Samuel Hall, assignee.—*Richard Cushing*, Hawkins-street, Commercial-road, Middlesex, master mariner, No. 60,392 T.; George Webb, assignee.—*John Heath*, Birmingham, gun furniture maker, No. 70,608 C.; William Morgan, assignee.—*William Hall*, Goodmanchester, Huntingdonshire, grocer, No. 70,797 C.; Christopher Jordan and John T. Sharpe, assignees.—*W. G. Gore*, Margate, Kent, shipwright, No. 60,548 T.; Thos. L. Pettman, assignee.—*S. Woolridge*, Blythe-marsh, Dilhorne, near Cheadle, Staffordshire, farmer, No. 26,432 C.; Wm. Lymer, assignee.—*John J. Willard*, Brighton, Sussex, livery-stable keeper, No. 70,676 C.; Israel Alexander, assignee.—*Benj. Bayes*, Great Yarmouth, Norfolk, pork butcher, No. 70,815 C.; J. Steggles, assignee.

Saturday, May 5.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Smith, High-street, Bow, Middlesex, labourer: in the Debtors Prison for London and Middlesex.—*John Turnill the younger*, Denbigh-street, Belgrave-road, Pimlico, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Wm. Waterhouse*, Denbigh-street, Belgrave-road, Pimlico, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Herbert Handcock*, Gordon-street, City-road, Middlesex, gold beater: in the Gaol of Horsemonger-lane.—*James Wilson*, Cannon-street, London, and Alton, Hampshire, tailor: in the Queen's Prison.—*Jas. Blackman*, White-street, Borough, Southwark, Surrey, licensed victualler: in the Gaol of Horsemonger-lane.—*T. H. H. Bingley*, Barnard's-inn Coffee-house, Holborn-hill, London, out of business: in the Debtors Prison for London and Middlesex.—*Thomas Cooper*, Charles-street, Middlesex Hospital, Middlesex, house decorator: in the Debtors Prison for London and Middlesex.—*Charles Morris*, Pratt-street, Camden-town, Middlesex, artist: in the Queen's Prison.

(On Creditors' Petition).

Charles Peirce, Northampton-street, Lower-road, Islington, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*Robert Henry Bartlett*, Epsom, Surrey, gentleman: in the Gaol of Horsemonger-lane.

(On their own Petitions).

John Narracott the younger, Totnes, Devonshire, coal merchant: in the Gaol of St. Thomas the Apostle.—*George Smith*, St. Sidwell's, Exeter, surveyor: in the Gaol of Exeter.—*Thomas Haeland*, Sheffield, Yorkshire, table-blade forger: in the Gaol of Radford Peverel.—*Jonas Horsfall*, Bradford, Yorkshire, out of business: in the Gaol of York.—*William Laramy* the younger, Braunton, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*John Mason*, Sheffield, Yorkshire, sawmaker: in the Gaol of Radford Peverel.—*Hy. Marshall Pratt*, Eye, near Peterborough, Northamptonshire, in no business: in the Gaol of Northampton.—*Alfred Barber*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Jas. Bailey*, Hulme, Manchester, greengrocer: in the Gaol of Lancaster.—*Jas. Collier*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*D. Cook*, Boothe, near Liverpool, ale dealer: in the Gaol of Lancaster.—*Geo. Gilbert*, Birmingham, stamper: in the Gaol of Coventry.—*Jos. Holroyd*, Winterton, near Barton-upon-Humber, Lincolnshire, assistant druggist: in the Gaol of Lincoln.—*Sam. Hulme*, Siddington, near Congleton, Cheshire, labourer: in the Gaol of Chester.—*Sam. Stanley*, Newton, Manchester, timber dealer: in the Gaol of Lancaster.—*Thos. Theobald*, Chorlton-upon-Medlock, Manchester, licensed victualler: in the Gaol of Lancaster.—*Jas. Vickers*, Otley, near Leeds, Yorkshire, grocer: in the Gaol of Lancaster.—*Jos.*

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Walton, Newton, Manchester, timber dealer: in the Gaol of Lancaster.—*Thos. Hardy*, Lancaster, licensed victualler: in the Gaol of Lancaster.—*Edw. Moore*, Preston, Lancashire, corn dealer: in the Gaol of Lancaster.—*Charles John King*, Chelmsford, Essex, pork butcher: in the Gaol of Springfield.—*J. Mellor*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Banister Tristram*, Manchester, auctioneer: in the Gaol of Lancaster.—*George Winsall*, Liverpool, shoemaker: in the Gaol of Lancaster.—*J. Wainhouse*, Ovendon, near Halifax, Yorkshire, innkeeper: in the Gaol of York.—*Rich. Roberts*, Liverpool, superannuated officer in the Quarantine Service of her Majesty's Customs at Liverpool: in the Gaol of Lancaster.—*George Thorp*, Liverpool, joiner: in the Gaol of Lancaster.—*Robert Winter*, Sheffield, Yorkshire, scissor manufacturer: in the Gaol of Radford Peverel.—*Joseph Townsend*, Preston, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Thomas Atherton*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Joseph Simpson*, Low Harrogate, Yorkshire, innkeeper: in the Gaol of York.—*Ratcliffe Worthington*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Wm. Nicholls*, Chorlton-upon-Medlock, Manchester, contractor: in the Gaol of Lancaster.—*Dan. Cronin*, Liverpool, doctor of medicine: in the Gaol of Lancaster.—*Wm. Antill*, Gloucester, fruiterer: in the Gaol of Gloucester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 22 *at* 10, *before Mr. Commissioner* LAW.

Wm. Goudge, Castle-street east, Oxford-st., Middlesex.—*James Woolley Smith*, Crown-st., Middlesex, printer.

May 22 *at* 10, *before Mr. Commissioner* PHILLIPS.

Wm. Wrenn, Duke-st., Lincoln's-inn-fields, Middlesex, out of business.—*Thos. Ward*, Old-st., St. Luke's, Middlesex, out of business.—*Jas. Armstrong*, Nutmakers' Rents, Boarded Entry, New Gravel-lane, Shadwell, Middlesex, stonemason.—*Alfred Cocks*, Broadway and Great Chapel-street, Westminster, Middlesex, oilman.—*Matthew Rowcliffe* the elder, Sutton-st., Soho, Middlesex, bricklayer.—*Ernest Augustus Wm. Baud*, Castle-st., Long-acre, Middlesex, gilder and decorator.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Essex, at CHELMSFORD, *May* 24 *at* 12.

Henry Rowe, Clavering, assistant to a plumber.—*Edward Coe*, Mucking, out of business.—*Wm. Bretton* the elder, Great Easton, out of business.—*James Harrington*, Brightlingsea, servant to a brewer.—*Wm. Bretton* the younger, Thaxted, out of business.—*Chas. John King*, Chelmsford, pork butcher.

At the County Court of Oxfordshire, at OXFORD, *May* 22.

Josiah Nutt Godden, Old Woodstock, and Beaumont-square, Mile-end-road, Middlesex, glove manufacturer.

At the County Court of Shropshire, at SHREWSBURY, *May* 22 *at* 10.

Thos. Murhall Griffith, Ash, Whitchurch, gentleman.

At the County Court of Suffolk, at BURY ST. EDMUND'S, *May* 28 *at* 10.

James Bird, Bury St. Edmund's, butcher.

At the County Court of Staffordshire, at STAFFORD, *May* 22 *at* 10.

Francis Clementson, Shelton, Stoke-upon-Trent, in no business.

FRIDAY, MAY 11.

BANKRUPTS.

ISAAC TERRY, Haymarket, Middlesex, watch and clock manufacturer, May 18 at half-past 11, and June 22 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Cox, 16, Pinners'-hall, Old Broad-st.—Fiat dated May 7.

WILLIAM SERGEANT, Portsmouth, Southampton, fruiterer, dealer and chapman, May 21 and June 25 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Marten & Co., Mincing-lane.—Fiat dated May 5.

HENRY EDMONDS, Charles-street, Westbourne-terrace, Middlesex, dairyman, dealer and chapman, May 18 at 12, and June 22 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. C. & S. Bicknell, 79, Connaught-terrace, Edgeware-road.—Fiat dated May 9.

FISHER ALDERTON, Manningtree, Essex, coach builder, May 23 at 1, and June 22 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Ambrose, Manningtree, Essex; Cocker, 11, Nassau-street, Soho, London.—Fiat dated May 4.

NATHANIEL COBB, Colchester, Essex, upholsterer and cabinet maker, dealer and chapman, May 17 at 2, and June 25 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Bull, Ely-place, Holborn.—Fiat dated May 7.

CHARLES JOHNS, Great Queen-st., Lincoln's-inn-fields, and Kirby-st., Hatton-garden, Middlesex, fixture dealer, looking-glass manufacturer, dealer and chapman, May 21 at half-past 12, and June 16 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Bodman, Bucklersbury.—Fiat dated May 1.

THOMAS HEBARD, Old Trinity-house, Water-lane, Tower-street, London, merchant, May 25 at 12, and June 19 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Messrs. Hilleary, 63, Fenchurch-st.—Fiat dated May 8.

JOHN BATTAMS SHOULER, Leicester, draper, dealer and chapman, May 25 and June 29 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. J. W. & G. Whateley, Birmingham; J. & C. Robinson, Queen-street-place, London.—Fiat dated April 28.

CHARLES PRITCHARD, All Saints, Hereford, wine and spirit merchant, dealer and chapman, May 26 and June 27 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Gough, Hereford; Bloxham, Birmingham.—Fiat dated May 4.

JOHN HARRISON, Hereford, mercer, dealer and chapman, May 26 and June 27 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Gwillim, Hereford; Suckling, Birmingham; Smith & Sons, Southampton-st., Bloomsbury-sq., London.—Fiat dated May 4.

THOMAS JOHNSTON, Strangeways, Manchester, draper, dealer and chapman, May 25 and June 14 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Makinson, Manchester; Gregory & Co., Bedford-row, London.—Fiat dated May 4.

MARTIN BROWN BELL, Newcastle-upon-Tyne, victualler, brewer, wine and spirit merchant, dealer and chapman, May 23 at half-past 11, and June 19 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Forster, Newcastle-on-Tyne.—Fiat dated April 27.

SYLVANUS MILLER, Eamont Bridge, Cumberland, banker, dealer and chapman, May 24 at half-past 10, and June 21 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Griffith & Crighton, Newcastle-upon-Tyne; Lawrence & Co., 25, Old Fish-st., Doctors-commons, London.—Fiat dated April 23.

MEETINGS.

Wm. Tiley, Reading, Berkshire, common brewer, May 25 at 11, Court of Bankruptcy, London, pr. d.—*Wm. Bromley*, Gray's-inn-sq., Gray's-inn, Middlesex, scrivener, June 4 at 11, Court of Bankruptcy, London, pr. d.—*George Streeter*, Lisson-grove, Middlesex, draper, June 6 at 1, Court of Bankruptcy, London, pr. d.—*Jas. Kyrke*, Glascoed, Denbighshire, lime burner, May 21 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Thos. L. Walker*, *James M. Wathew*, and *Edward W. Kelsall*, Nuneaton, Warwickshire, brickmakers, May 15 at 10, District Court of Bankruptcy, Birmingham, ch. ass.—*J. H. Caton*, Stondon Massey, Essex, cattle dealer, May 25 at 11, Court of Bankruptcy, London last ex.—*Fred. Brain*, Thomas-st., Stamford-st., Blackfriars, Surrey, ivory cutter, June 6 at 11, Court of Bankruptcy, London, last ex.—*Wm. Stevens*, Acton-st., Gray's-inn-road, Middlesex, builder, June 7 at half-past 2, Court of Bankruptcy, London, last ex.—*Thos. Wood*, Tonbridge, Kent, miller, June 6 at half-past 11, Court of Bankruptcy, London, last ex.—*Wm. H. Ambler*, Bishop Auckland, Durham, banker, June 5 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Croudson*, Wigan, Lancashire, money scrivener, May 23 at 11, District Court of Bankruptcy, Manchester, last ex.—*Henry Peet*, Ludgate-hill and Newgate-street, London,

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printer, June 4 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. E. H. Guillaume*, Botley, Southampton, timber merchant, June 4 at 11, Court of Bankruptcy, London, aud. ac.—*Joseph H. Page*, Pancras-lane, London, auctioneer, June 4 at 11, Court of Bankruptcy, London, aud. ac.—*T. Withers*, St. Dunstan's-hill, London, wine merchant, June 4 at 11, Court of Bankruptcy, London, aud. ac.—*John Walker*, Upper Seymour-st., Edgeware-road, Middlesex, hotel keeper, June 4 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Floyd*, Wendover, Buckinghamshire, cattle dealer, June 6 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Wm. Waterman*, Brenchley, Kent, farmer, June 6 at 11, Court of Bankruptcy, London, aud. ac.—*Joseph Hulls*, High Wycombe, Buckinghamshire, coppersmith, June 6 at 1, Court of Bankruptcy, London, aud. ac.—*Jane Davis*, Walton-on-Thames, Surrey, builder, June 7 at 11, Court of Bankruptcy, London, aud. ac.—*John Tomkinson*, Liverpool, and Runcorn, Cheshire, stonemason, June 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; June 13 at 11, div.—*J. Cheshire*, Hartford, Cheshire, salt manufacturer, June 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; June 12 at 12, div.—*Chas. Lee*, Marlborough-cottages, Marlborough-road, St. John's-wood, Middlesex, jeweller, June 7 at 2, Court of Bankruptcy, London, aud. ac.—*Caleb Bell*, Darlington, Durham, whitesmith, June 12 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Wilson* the younger, Ogle, Whalton, Northumberland, timber merchant, June 5 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John S. Rablah*, Barnard Castle, Durham, tanner, June 7 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Edward Snowdon*, South Shields, Durham, grocer, June 7 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thos. Coates*, Sunderland, Durham, wine merchant, June 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 12 at 1, div.—*Arthur James*, Newcastle-upon-Tyne, oil merchant, June 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 7 at 12, fin. div.—*William Tench*, Winlaton, Durham, grocer, June 7 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 8 at half-past 10, fin. div.—*Thos. Gales*, Ford, Durham, ship builder, June 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 8 at 12, second and fin. div.—*Thos. Rowell*, Hartlepool, Durham, merchant, June 12 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 14 at 11, div.—*Nich. Brown*, Hexham, Northumberland, timber merchant, June 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 14 at 12, div.—*Wm. Todd*, Whitehaven, Cumberland, ironmonger, June 12 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 14 at half-past 10, fin. div.—*Thos. Fox, G. Rippon, C. A. Wawn*, and *Wm. Lishman*, West Cornforth, and Thrislington, near West Cornforth, Durham, lime burners, June 12 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *C. A. Wawn*; June 14 at 1, fin. div.—*Jairus J. Cartwright*, Wakefield, Yorkshire, corn merchant, June 4 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*J. King*, Helmsley, Yorkshire, surgeon, June 5 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Schofield*, Rastrick, Halifax, Yorkshire, manufacturer, June 5 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*John Tattersall*, Old Lyons, Over Darwen, Lancashire, coal dealer, June 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 6 at 12, div.—*John Faulkner*, Manchester, coach lace manufacturer, June 4 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 5 at 11, div.—*Levi Davis*, Redditch, Worcestershire, needle manufacturer, June 13 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; June 16 at 12, div.—*Francis H. Bourquin*, Northampton-sq., Clerkenwell, Middlesex, watch manufacturer, June 6 at 11, Court of Bankruptcy, London, div.—*Robert Tate*, Regent-street, Middlesex, silversmith, June 1 at 1, Court of Bankruptcy, London, fin. div.—*Thos. T. Haydon*, Wandsworth, Surrey, butcher, June 1 at 12, Court of Bankruptcy, London, div.—*Catherine Elton*, Whitechapel, Middlesex, ironmonger, June 1 at 11, Court of Bankruptcy, London, div.—*John Christie, Robert Christie*, and *John Stewart*, Mark-lane, London, and Manchester, merchants, June 1 at 11, Court of Bankruptcy, London, div.—*Alex. A. Mackey* and *N. J. W. Holt*, St. Helen's-place, Bishopsgate-street, London, merchants, June 4 at 12, Court of Bankruptcy, London, div.—*George Rougemont*, Broad-street-buildings, London, merchant, June 4 at 2, Court of Bankruptcy, London, div.—*R. C. Kingsford* and *Henry L. Barnwell*, Seaton, Ickham, Kent, and Catherine-court, Tower-hill, London, millers, June 6 at 12, Court of Bankruptcy, London, div.—*George Teil* and *Basil M'Kenzie Ronald*, Old Jewry-chambers, London, East India merchants, June 5 at 11, Court of Bankruptcy, London, div.—*Wm. Buchanan*, Old Jewry-chambers, London, merchant, June 6 at 11, Court of Bankruptcy, London, div.—*Wm. H. Mann*, Maiden-lane, Queen-st., Cheapside, London, lead merchant, June 8 at 12, Court of Bankruptcy, London, div.—*Henry S. Brazier*, Oxford, tailor, June 8 at 12, Court of Bankruptcy, London, div.—*John Price*, Queen's-head-passage, Newgate-st., London, innkeeper, June 8 at 1, Court of Bankruptcy, London, div.—*Evan Parry*, Pontypool, Monmouthshire, draper, June 7 at 11, District Court of Bankruptcy, Bristol, div.—*Jos. M. Penman* and *Thos. Penman*, Sunderland, apothecaries, June 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div. sep. est. of *J. M. Penman*.—*Wm. Barker*, Royton, near Oldham, Lancashire, millwright, June 6 at 12, District Court of Bankruptcy, Manchester, div.—*Benjamin Smith*, Ashton-under-Lyne, Lancashire, tailor, June 6 at 11, District Court of Bankruptcy, Manchester, div.—*John Cockcroft* the elder and *Abraham Fletcher* the younger, Cheetham, Manchester, stuff merchants, June 4 at 12, District Court of Bankruptcy, Manchester, div. sep. est. of *A. Fletcher* the younger.—*Thos. Hardwick* and *Winter Hardwick*, Leeds, Yorkshire, auctioneers, June 4 at 12, District Court of Bankruptcy, Leeds, div.—*Jos. Swift* and *Tom N. Swift*, Huddersfield, Yorkshire, chemists, June 1 at 11, District Court of Bankruptcy, Leeds, div. sep. est. of *Joseph Swift*.—*John Morfit* the younger, New Wortley, Leeds, Yorkshire, flax spinner, June 1 at 11, District Court of Bankrupty, Leeds, div.—*William Ibbotson*, Sheffield, Yorkshire, merchant, June 2 at 10, District Court of Bankruptcy, Sheffield, div.—*George Price*, Wolverhampton, Staffordshire, printer, June 13 at 12, District Court of Bankruptcy, Birmingham, div.—*William Kirk*, Leicester, builder, June 8 at 12, District Court of Bankruptcy, Nottingham, div.—*Leonard Thompson*, Westbromwich, Staffordshire, coach-spring maker, June 13 at 12, District Court of Bankruptcy, Birmingham, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Gambier Walker, Newick, Sussex, apothecary, June 5 at half-past 11, Court of Bankruptcy, London.—*Robert Wynne*, Brentford, Middlesex, grocer, June 5 at 11, Court of Bankruptcy, London.—*Thos. Floyd*, Wendover, Buckinghamshire, cattle dealer, June 6 at half-past 12, Court of Bankruptcy London.—*Geo. Francis*, Rayleigh, Essex, innkeeper, June 8 at 11, Court of Bankruptcy, London.—*Naphtali Wakelin Hill*, St. Neot's, Huntingdonshire, plumber, June 8 at 12, Court of Bankruptcy, London.—*Patrick Cruickshank, John Melville*, and *Wm. Rawtlereay Street*, Austin-friars, London, merchants, June 6 at 11, Court of Bankruptcy, London.—*John Nash*, Globe-wharf, Rotherhithe, Surrey, and Reed-farm, Strood, Kent, timber merchant, June 8 at half-past 11, Court of Bankruptcy, London.—*T. Pearson*, Blandford-st., Portman-sq., Middlesex, butterman, June 14 at 11, Court of Bankruptcy, London.—*Chas. Hen. Swann*, Sandford, *John Swann*, Woolvercote, and *Wm. Swann*, Enslem, Oxfordshire, papermakers, June 5 at 11, Court of Bankruptcy, London.—*Geo. Simcox Yates Bricknell*, Cheltenham, Gloucestershire, coach proprietor, June 1 at 11, District Court of Bankruptcy, Bristol.—*Henry Kenward*, Moreton-in-Marsh, Gloucestershire, tailor, June 1 at 11, District Court of Bankruptcy, Bristol.—*Thos. Coates*, Sunderland, Durham, wine merchant, June 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Ed. Lax*, Berry Edge, Durham, grocer, June 8 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Keddy* and *Thos. Keddy*, Bridlington, Yorkshire, printers, June 13 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*George Hauldsworth*, Northowram, Halifax, Yorkshire, worsted spinner, June 1 at 11, District Court of Bankruptcy, Leeds.—*Geo. Kyrke*, Bryn Malley, Wrexham, Denbighshire, lime burner, June 11 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Green*, Birkenhead, Cheshire, auctioneer, June 7 at 11, District Court of Bankruptcy, Liverpool.—*Aaron Egerton*,

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Over, Cheshire, builder, June 6 at 11, District Court of Bankruptcy, Liverpool.—*Mark Kirk*, Nottingham, builder, June 8 at 10, District Court of Bankruptcy, Nottingham.—*Andw. Paton Halliday* and *Eliza Paton*, Cornbrook, Hulme, Manchester, manufacturing chemists, June 7 at 11, District Court of Bankruptcy, Manchester.—*James Scott*, Manchester, shoe dealer, June 5 at 1, District Court of Bankruptcy, Manchester.—*Charles Kent*, Ashbourn, Derbyshire, draper, June 5 at 12, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 1.

George Workman, St. George's-place, Water-lane, Brixton, Surrey, beer-shop keeper.—*Ed. Perks*, Redditch and Stoke Mills, Worcestershire, needle manufacturer.—*Sidney Adcock*, Edwards-st., St. Marylebone, Middlesex, working jeweller.—*Alfred Reynolds*, Charterhouse-square, Aldersgate-st., Middlesex, engraver.—*Alex. Mitchell*, Cardiff, Glamorganshire, draper.—*Hen. Ready*, Hounslow, Middlesex, builder.—*Thos. Ives*, Wakefield, Yorkshire, dyer.—*Wm. Allen*, Watton, Norfolk, innkeeper.—*Jos. Colin Fletcher*, Greenwich, Kent, coal merchant.—*David Evans* the younger, Liverpool, coach builder.

SCOTCH SEQUESTRATIONS.

John Forbes, Taymount, Kinclaven, Perthshire, ship owner.—*Geo. Williamson*, Aberdeen, cattle dealer.—*Alex. Lorn*, Ardrishaig, Argyle, fisherman.—*Mrs. Barbara Williams*, Edinburgh, milliner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Prime, Cambridge, carpenter, May 21 at 10, County Court of Cambridgeshire, at Cambridge.—*R. Stevens*, Cambridge, college servant, May 21 at 10, County Court of Cambridgeshire, at Cambridge.—*A. Tompkins*, Swanbourne, near Winslow, Buckinghamshire, baker, May 30 at 11, County Court of Buckinghamshire, at Buckingham.—*Robert Dickens*, Stewkley, Buckinghamshire, farmer, May 30 at 11, County Court of Buckinghamshire, at Buckingham.—*Mary Spencer*, widow, Woodbridge, Suffolk, pawnbroker, May 24 at 1, County Court of Suffolk, at Woodbridge.—*W. Ed. Gingell*, Bath, engraver, June 9 at 12, County Court of Somersetshire, at Bath.—*Chas. Shrubsole Palmer*, Sheerness, Kent, grocer, May 19 at 10, County Court of Kent, at Sheerness.—*Thomas Winsley*, May 17 at 10, County Court of Shropshire, at Bridgenorth.—*Richard Tree*, Clyst St. Mary, Devonshire, market gardener, May 19 at 10, County Court of Devonshire, at Exeter.—*Ed. Watson*, Sheerness, Kent, wood dealer, May 19 at 10, County Court of Kent, at Sheerness.—*Wm. Johnson*, Coxheath, Kent, general dealer, May 19 at 10, County Court of Kent, at Sheerness.—*Chas. Young*, Shrewsbury, Shropshire, task master, May 22 at 10, County Court of Shropshire, at Shrewsbury.—*Rev. John Dawson*, Llangar, Merionethshire, clerk, May 26 at 11, County Court of Merionethshire, at Corwen.—*John Wylie*, Hanley, Staffordshire, out of business, May 24 at 10, County Court of Staffordshire, at Hanley.—*Evan Roberts*, Casginhighgate, Bryneglwys, Denbighshire, farmer, May 26 at 11, County Court of Merionethshire, at Corwen.—*Luke Davis* the younger, Wolverhampton, Staffordshire, out of business, May 29 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Nutridge*, Bilston, Staffordshire, butty collier, May 29 at 12, County Court of Staffordshire, at Wolverhampton.—*Joseph Richard Hart*, Cambridge, bookbinder, May 21 at 10, County Court of Cambridgeshire, at Cambridge.—*John Collins*, Cambridge, butcher, May 21 at 10, County Court of Cambridgeshire, at Cambridge.—*W. K. Walker*, St. George's-st. East, Middlesex, out of business, May 29 at 12, County Court of Staffordshire, at Wolverhampton.—*J. Hilling*, Cambridge, retailer of beer, May 21 at 10, County Court of Cambridgeshire, at Cambridge.—*Charles Matthews*, Bath, baker, May 19 at 12, County Court of Somersetshire, at Bath.—*Thomas Dagg*, Bath, Somersetshire, haulier, May 19 at 12, County Court of Somersetshire, at Bath.—*James Roberts*, Bridgewater, Somersetshire, blacksmith, June 11 at 12, County Court of Somersetshire, at Bridgewater.—*Isaac Hoyle*, Headingley-cum-Burley, near Leeds, Yorkshire, wire drawer, May 25 at 10, County Court of Yorkshire, at Leeds.—*J. Norman* the younger, Bungay, Suffolk, tinman, May 22 at 2, County Court of Suffolk, at Beccles.—*John Burgess*, Lowestoft, Suffolk, shoemaker, May 23 at 9, County Court of Suffolk, at Lowestoft.—*Thos. J. Wagner*, Oxford, attorney at law, May 22 at 2, County Court of Oxfordshire, at Oxford.—*Robert Weston*, Manchester, music seller, May 18 at 1, County Court of Lancashire, at Manchester.—*James M'Dougall*, Longsight, near Manchester, in no business, May 18 at 1, County Court of Lancashire, at Manchester.—*Wm. Perry*, Salford, Lancashire, out of business, May 18 at 1, County Court of Lancashire, at Manchester.—*Henry Ensor*, Liverpool, shoemaker, May 18 at 1, County Court of Lancashire, at Manchester.—*James Butcher*, Manchester, butcher, May 23 at 12, County Court of Lancashire, at Salford.—*James Moffatt*, Chilton Polden, Somersetshire, tailor, June 11 at 11, County Court of Somersetshire, at Bridgewater.—*John Newton*, Ashford, Kent, out of business, May 18 at 10, County Court of Kent, at Ashford.—*W. Pierce*, Canterbury, Kent, ginger beer manufacturer, May 17 at 10, County Court of Kent, at Canterbury.—*Edw. Ovenden*, Canterbury, Kent, out of business, May 18 at 10, County Court of Kent, at Ashford.—*John Bayldon*, Wanstrow, Somersetshire, clerk, June 13 at 11, County Court of Somersetshire, at Frome.—*Jos. Burgess*, Hulme, near Manchester, in no business, May 18 at 1, County Court of Lancashire, at Manchester.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Eli Fielding, Rochdale, out of business, No. 70,876; John Newby, assignee.—*James Butterworth*, Bamford, near Rochdale, farm labourer, No. 70,888; John Ashworth, assignee.—*Jos. Wm. Gore*, Manchester, out of business, No. 70,932; Wm. Hilton, assignee.—*George Mercer*, Manchester, out of business, No. 70,933; Richard Pullen, assignee.—*John Denerley*, Haughton-green, Denton, near Manchester, hatter, No. 70,892; John Shepherd, assignee.—*Wm. Whittaker*, Clitheroe, assistant to a licensed victualler, No. 70,964; Henry Hall, assignee.—*J. Martin*, Whalley, near Clitheroe, grocer, No. 70,896; John Arkwright, assignee.—*James Raby*, Little Bolton, Bolton-le-Moors, licensed victualler, No. 70,951; Richard Wallwork, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *May* 25 *at* 11.

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The Jurist

No. 645—Vol. XIII. MAY 19, 1849. Price 1s.

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LONDON, MAY 19, 1849.

The case of William Smith O'Brien has at length been determined by the Supreme Court of Appeal, and the result is, a decisive and unanimous judgment for the Crown. The Law Lords and the Judges, who presided in the House of Lords on this occasion, were so satisfied with the judgment below, that they affirmed it, *without* calling upon the counsel for the prosecution to address them. They considered that there was not even a primâ facie case for an appeal established; and, with much eulogium upon the manner in which the Irish judges had disposed of the numerous questions submitted to them, upheld, in every particular, their decision.

The objections raised by the plaintiff in error were four in number. They will be found stated at length in one of our former numbers, (12 Jur. p. 489), and it will be sufficient now to refer to them briefly. The first objection was to the caption of the indictment, which recited a commission to three judges, by name, empowering them, "with others," to try the prisoners. Only the three judges named, in fact, did try them, and it was urged that they had not authority for this purpose, especially in the absence of a quorum clause: but the House of Lords decided that the three judges had such authority; that the direction to them by name was sufficiently certain, and was not rendered uncertain by the part which followed as to others being joined with them.

The second error assigned, and the most important in the opinion of the counsel for the prisoner, was, that he had not been furnished with a copy of the indictment and a list of the witnesses ten days before the trial, according to the stat. 57 Geo. 3, c. 6. This objection, which was raised with so much practical success in *Frost's case*, (2 Mood. C. C. 140; 9 C. & P. 129), was now held untenable, as the statute does not apply to treason committed in Ireland. A question naturally arises connected with this part of the case, whether, if such a privilege be required by persons accused of treason in England, it should not be extended, by statute, to those who are accused of a similar offence in Ireland? The view entertained by the House of Lords with regard to this objection rendered it unnecessary for them to decide whether it should have been raised by plea or by motion to the Court. In *Frost's case*, it was decided that it was too late to take the objection after plea pleaded, and that, if taken in due time, its only effect would be a postponement of the trial, in order to give time for a proper delivery of the list and copy.

The third error assigned was, that to levy war against the Queen in Ireland, was not to do so within "this realm," according to the stat. 25 Edw. 3, (on which it was contended the sixth count was founded); but that statute was held to have been extended to Ireland by Poyning's Acts.

Fourthly, it was urged that the "allocutus" was defective, as the prisoner was asked what he had to say why "judgment" should not be passed upon him, whereas it was contended, that he should have been asked why "judgment of death" should not be passed upon him; but this was held to be sufficient, as by "judgment" was intended the sentence allotted by law to the offence.

Such is the final result of a case which has naturally excited much interest both within and beyond the legal profession. It was, we believe, the general impression among lawyers that the writ of error would fail; but it is satisfactory to know that the learned Lords to

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whom the appeal was made were unanimous in their judgment, and that it was delivered in a manner and under circumstances calculated to encourage confidence in the administration of justice. An opinion has for some time prevailed in the public mind, that any conviction in a criminal case, which could be carried to the House of Lords, might be nullified. The case of *O'Brien* v. *The Queen* will operate favourably in changing this opinion.

THE CHARITABLE TRUSTS BILL.

We have before us a bill which is proceeding in the right direction with respect to the simplification of Chancery proceedings, and in particular with respect to the conferring of an equity jurisdiction upon County Courts. It is intituled, "A Bill for facilitating and better securing the due Administration of Charitable Trusts;" and the following is the printed summary of the clauses:—

Petition may be presented to Lord Chancellor or Master of the Rolls where the income of the charity exceeds 30*l.*, and does not exceed 100*l.*; sect. 1.

Master to proceed on petition; 2.

Orders of Master to be valid without confirmation, and to be enforced like orders of Court; 3.

Master may make special reports or orders, subject to confirmation; 4.

Master may order advertisements, &c.; 5.

State of facts may be dispensed with, and Master may regulate proceedings; 6.

Master to have usual powers; 7.

Judges of county courts to have jurisdiction in cases of charities the incomes of which do not exceed 30*l.*; 8.

Judge not to settle scheme without previous notice by advertisement, and may direct notices in other cases; 9.

Judge not to proceed on application after notice given in certain cases; 10.

Order of judge not to be appealed from, except as herein otherwise provided, and to be enforced as under 9 & 10 Vict. c. 95; 11.

Appeal and proceedings on appeal; 12, 13.

Bond to prosecute appeal may be put in suit; 14.

Power to Court of Chancery in certain cases to order what judge shall have jurisdiction; 15.

In cases of charities the incomes of which do not exceed 30*l.*, not subject to jurisdiction of a judge of a county court, petition may be presented to Lord Chancellor, &c.; 16.

Court of Chancery may refer to a judge of the county court any matters which may be referred to a Master; 17.

Judge not to try titles, &c., but may direct suits, &c. for that purpose; 18.

Contents of affidavits as to amount of income; 19.

In cases of charities for religious purposes, trustees to be of same religion; 20.

Incorporation of treasurers of county courts; 21.

Land holden upon trust for a charity subject to jurisdiction of Court of Chancery and of judge, may be vested in treasurer; 22.

Treasurer to be a bare trustee; 23.

Memorandum of vesting order may be indorsed on title-deeds; 24.

Judge may order trustees, &c., holding stock, &c. belonging to a charity subject to his jurisdiction, to transfer same to treasurer; 25.

Judge may, upon application of persons holding charity monies, order payment thereof to treasurer; 26.

Judge may direct investment of charity monies; 27.

Transfers of stock to and by treasurer, how made; 28.

Treasurer to keep separate account of funds of each charity; 29.

Record of proceedings; 30.

By whom applications may be made; 31.

Costs; 32.

Lord Chancellor may make orders for regulating proceedings of courts under this act; 33.

Accounts of trustees of charities to be delivered to clerk of county court; 34.

Act not to extend to religious or charitable institutions supported by voluntary contributions; 35.

Legal estate of hereditaments now vested in municipal corporations on charitable trusts to be vested in trustees, 5 & 6 Will. 4, c. 76; 36.

Interpretation clause; 37.

Act may be amended or repealed; 38.

The scope of this bill is to transfer the jurisdiction of the Court of Chancery over charities, where the clear yearly income of a charity shall not exceed 30*l.*, to the County Court within whose district the objects or purposes of the charity shall be, (clause 8); and whenever the income of a charity shall exceed 30*l.*, but not exceed 100*l.*, then to work the jurisdiction of the Court of Chancery entirely in the Master's office, upon a petition, supported by affidavit, not requiring any order of reference, nor any order confirming the Master's report: in fact, substituting the Master (with certain qualifications) for the Court.

The process under this act would be, for the larger class of charities within it, to present a petition to the Court of Chancery or to the Master of the Rolls, setting forth the facts of the case constituting the ground of application, and praying the desired relief. Thereupon, without special order, but by force of the act the matter stands referred to the Master, who will therefore proceed, and make such orders upon the petition as the Court might now make in a suit regularly constituted, (sect. 2); and this he may do upon the petition, without any state of facts or proposal unless he shall think it necessary to have such state of facts or proposal, (sect. 6). We are glad to see here proposed to the consideration of the Legislature a plan which we, some time ago, advocated in The Jurist viz. the abandonment, at least in certain cases in the Master's office, of the "state of facts;" a document which is generally, as we conceive, surplusage if well drawn, and an impediment if ill drawn.

The 6th section of this act is so important, as containing the germs of an improvement on the proceedings in the Master's office, that we will cite it verbatim. It is as follows:—

"Be it enacted, that, subject to any orders made by the Lord Chancellor, as herein provided, the Master may, in proceeding under this act, proceed on a copy of the petition, without any state of facts or proposal in writing, unless, for supplying any deficiency in the statement or prayer of the petition, or otherwise, he shall fit and direct that any statement or proposal be made by any party; and the Master may, as he may see fit, dispense with any warrants in the course of the proceedings, and also, from time to time, direct any warrants to be taken out by any parties attending the proceedings, and fix the times at which any warrants shall be returnable before him, or at which any proceedings necessary to be taken shall be taken, and may proceed de die in diem, and generally may, without

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reference to any rule or course of practice of the Court, regulate the course of such proceedings in such manner as may appear to him expedient for rendering the same inexpensive and speedy, so far as justice will admit."

Now, it is impossible not to see, that under this section the Master may regulate, nay, is probably intended to make the experiment of regulating, the proceedings, so as to dispense with the time-destroying system of short and separate attendances, and to have the case brought before him and disposed of in the manner most calculated to save time and expense. Under this act, therefore, an experiment may be made, in reference to one class of subjects of equitable adjudication, which, if successful in that, may, and must be, applied further.

The 8th section broadly transfers to the County Courts the jurisdiction now exercised by the Court of Chancery, over charities whose income does not exceed 30*l.*, subject, however, by the 9th, to a stay of proceedings in the matter of appointing a new trustee, if any existing trustee shall give notice of his wish to have the matter heard by a Master of the Court of Chancery; subject also, by the 12th, to an appeal to the Court of Chancery, if the judge of the County Court shall think the case a fit one for appeal.

The bill contains a considerable number of clauses for carrying out its general purposes, and they appear to us to be generally well constructed for the purpose. There is one clause, however, which, having regard to the peculiar enactments of the County Courts Act with respect to costs, does not seem to us sufficiently explicit. We allude to the 32nd, by which it is enacted, "that any judge of the Court of Chancery, where there is any proceeding before such judge under this act, and the Master in the case of a petition which stands referred to him under this act, and the judge of the county court upon application to him under this act, shall have *full* power to make such order as to costs in the *matter* of the charity as they respectively may think fit." Now, recollecting the stringent enactments of the County Courts Act with regard to costs, and observing that, in the present bill, there is nothing specifically and pointedly repealing those enactments, it appears to us that the 32nd section of this bill does not sufficiently point out whether the power given, is, to adjudicate between the parties and the estate as to costs, or to determine what costs are to be allowed. If it is meant that costs should be allowed according to the Chancery scale, subject to any variation the judge may think fit to introduce, the clause does not express that with sufficient clearness. If it be meant that the judge is to have a sort of original power of awarding or disallowing costs at his pleasure pro hâc vice, neither is that intention, supposing it to be politic, expressed with sufficient clearness. As the County Courts Act is precise about costs, so should this, which brings before those courts new matter of a very different kind from that which is the present subject of their jurisdiction, be precise on the point, whether it adopts the present county court system of costs or any other. The 33rd clause, giving power to the Lord Chancellor, with the assistance of the Master of the Rolls or of a Vice-Chancellor, to make rules and orders of practice, does not construe the 32nd, because it leaves unexplained the question, whether the 32nd does or does not override the explicit declarations of the County Courts Act as to costs.

There is also an omission which appears to us important. There is now in the Court of Chancery, at various stages of progress, a considerable number of suits founded on information or petition relating to charities, which would be within the proposed act; and many of such suits, particularly those founded on informations where the income is under 30*l.*, stagnate simply because of the smallness of the fund, and will, if ever they come to a conclusion, absorb nearly the fee simple of the charity. The proposed act should, it seems to us, provide for the transfer to the new jurisdiction, of all existing suits which would, if not existing, be properly instituted under it.

With these exceptions, the bill is, in our opinion, excellent in its objects and explicit in its language; and we wish it success, as the first step towards an equity county court jurisdiction.

Court Papers.

EQUITY SITTINGS, TRINITY TERM, 12 Vict. 1849.

Court of Chancery.

Before the Lord Chancellor, *at Westminster.*

Tuesday .... *May*	22	Appeal Motions and Appeals.
Wednesday	23	(Petition-day).—Petitions & Appeals.
Thursday	24	Appeals.
Friday	25	
Saturday	26	
Monday	28	
Tuesday	29	
Wednesday	30	
Thursday	31	Appeal Motions and Appeals.
Friday ..... *June*	1	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	2	Appeals.
Monday	4	
Tuesday	5	
Wednesday	6	
Thursday	7	Appeal Motions and Appeals.
Friday	8	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	9	Appeals.
Monday	11	
Tuesday	12	Appeal Motions and Appeals.

N. B.—Such days as his Lordship sits on Appeals in the House of Lords excepted.

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Tuesday .... *May*	22	Motions.
Wednesday	23	Petition-day.
Thursday	24	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	25	Short Causes and Ditto.
Saturday	26	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	28	
Tuesday	29	
Wednesday	30	
Thursday	31	Motions.
Friday ..... *June*	1	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	2	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday	4	
Tuesday	5	
Wednesday	6	
Thursday	7	Motions.

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Friday	8	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	9	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	11	
Tuesday	12	Motions.

Before Vice-Chancellor Knight Bruce, *at Westminster.*

Tuesday .... *May*	22	Motions.
Wednesday	23	Bankrupt Petitions and Causes.
Thursday	24	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	25	Petitions and Causes.
Saturday	26	Short Causes and Causes.
Monday.....	28	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	29	
Wednesday	30	Bankrupt Petitions.
Thursday	31	Motions.
Friday..... *June*	1	(Petition-day).—Petitions and Causes.
Saturday	2	Short Causes and Causes.
Monday.....	4	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	5	
Wednesday	6	Bankrupt Petitions.
Thursday.....	7	Motions.
Friday	8	(Petition-day).—Petitions and Causes.
Saturday	9	Short Causes and Causes.
Monday.....	11	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	12	Motions.

Before Vice-Chancellor Wigram, *at Westminster.*

Tuesday .... *May*	22	Motions and Causes.
Wednesday	23	(Petition-day).—Petitions and Causes.
Thursday	24	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	25	
Saturday	26	Short Causes and Ditto.
Monday.....	28	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	29	
Wednesday	30	
Thursday.....	31	Motions and Ditto.
Friday..... *June*	1	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	2	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	4	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	5	
Wednesday	6	
Thursday	7	Motions and Ditto.
Friday	8	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	9	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	11	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	12	Motions and Ditto.

COMMON-LAW SITTINGS, IN AND AFTER TRINITY TERM, 1849.

Court of Queen's Bench.

Middlesex.—*In Term.*

1st sitting .. Thursday, *May* 24, and following days, at 11.
2nd sitting.. Monday..... 28, and subsequent days, at 11.
3rd sitting.. Saturday.. *June* 9, at half-past 9 precisely (for undefended causes only).

After Term.—Wednesday, *June* 13, at half-past 9.

A list of causes will be printed immediately; but on the uncontradicted statement of either side that a cause is too long to be tried in term, it will be withdrawn from such list, and a small number of completed and new causes will be put into the list day by day in their usual order.

London.—*In Term.*

Sitting at 10, on Monday, *June* 11, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Thursday, *June* 14, to adjourn.

N. B.—The hours of attendance at the Marshal's Office of this Court will in future be from 11 till 5 during term and sittings, instead of from 11 to 2, and 6 to 8.

Court of Common Pleas.

In Term.

Middlesex.	London.
Friday ..... *May* 25	Wednesday ..... *May* 30
Friday ..... *June* 1	Wednesday ..... *June* 6

After Term.

Wednesday ..... *June* 13	Thursday..... *June* 14

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Thursday, the 14th June, in London, no causes will be tried, but the Court will adjourn to a future day.

Exchequer of Pleas.

In Term.

Middlesex.	London.
1st sitting, Wednesd., *May* 23	1st sitting, Tuesday.. *May* 29
2nd sitting, Wednesday .. 30	2nd sitting, Tuesday.. *June* 5
3rd sitting, Wednesd., *June* 6	

After Term.

Wednesday ..... *June* 13	Thursday..... *June* 14 (To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

COMMON-LAW CAUSE LISTS, TRINITY TERM.

Court of Queen's Bench.

NEW TRIALS

Remaining undetermined at the End of the Sittings after Easter Term, 1849.

Standing for Judgment.

Doe *d.* Campbell *v.* Hamilton
Doe *d.* Clay *v.* Jones

For Argument.

Easter Term, 1848.

Kent—Doe *d.* Warren *v.* Brydges (*S. O.*)
Sussex—Forth *v.* Simpson (part heard).
Leicester—Bailey *v.* Macauley
Warw.—Same *v.* Pearson
[To come on for argument with Bailey *v.* Haines, of Mich. Term, 1848.]
Liv'pool—Hassall *v.* Cole

Mich. Term, 1848.

Midd.—Gardner *v.* Slade (part heard).
,, Hulse *v.* Esdaile
Lond.—Baum *v.* Ricketts
,, Baily *v.* Haines
,, Same *v.* Macauley
,, Same *v.* Pearson
[Of Easter Term last; to come on for argument with the above.]
,, Same *v.* Bracebridge
[Of Hilary Term, 1849; to come on for argument with same.]
,, Small *v.* Nairn
Essex—Sturges *v.* Cooper
[Stands for arrangement.]
Essex—Doe *d.* Carter *v.* Barnett
Devon—Doe *d.* Moore & an. *v.* Dunning & an.
Bristol—Scott *v.* Ferris
Cardigan—Reg. *v.* Bowen
York—Reg. *v.* Inhabitants of Brightside Bierlow
,, Same *v.* Inhabs. of Attercliffe cum Darnall
,, Same *v.* Inhabitants of Tinsley
Durham—Jenkyns *v.* Hutchinson
Lancaster—Robinson *v.* Waddington & an.
Liv'p.—Walley *v.* Stone & ors.
,, Company of Proprietors of Rochdale Canal *v.* King
,, James & ors. *v.* Lynn
,, Jenkyns *v.* Brown
Camb.—Hammond *v.* Bendyshe
,, Fuller *v.* Brown
,, Preston *v.* Titchmarch
Suffolk—Doe *d.* Marriott *v.* Marquis of Hertford
,, Rudland *v.* Mills
Oxford—Allen *v.* Gilkes
,, Same *v.* Same
Worcester—Doe *d.* Mence *v.* Hadley
Stafford—Bate *v.* Pane

Tried during Mich. Term, 1848.

Midd.—Gidley *v.* Austin

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HILARY TERM, 1849.

Midd.—Hankinson *v.* Alcock
,, Gadsby *v.* Estall
,, Morrell *v.* Wootten
,, Daubney *v.* Phipps
,, Reg. *v.* Smith & ors.
,, Same *v.* Same
,, Neeves *v.* Burrage
,, Osterman *v.* Bateman
Lond.—Dawson & ors. *v.* Hay
,, Job *v.* Hudson
,, Baily *v.* Bracebridge
[To come on for argument with Baily *v.* Haines, of Mich. Term, 1848.]
,, Wilson *v.* Holden

Tried during Hilary Term, 1849.

Midd.—Arden *v.* Sullivan
,, Doe *d.* Howe *v.* Thornton

EASTER TERM, 1849.

Midd.—Keene *v.* Ward
,, Colombine *v.* Pennall
,, Gaskill *v.* Skene
,, Margetson *v.* Wright
,, Doe *d.* Morrison *v.* Glover
,, Robins *v.* Tripp
,, Bass & ors. *v.* Wells
,, Chapman *v.* Speller
,, Wakeman *v.* Lindsey
Lond.—Huntley *v.* Donovan
,, Charman *v.* Steere
,, Fussell *v.* Lewis
Hants.—Doe *d.* Commissioners of Woods and Forests *v.* Bone
Wilts.—Doe *d.* Arundell *v.* Fowler
,, Reg. *v.* Inhabitants of Cricklade
Devon—Brown *v.* Coleridge
,, Drew *v.* Same
,, Mayne *v.* Same
,, Hannaford *v.* Gill
Cornw.—Williams *v.* Teague
,, Doe *d.* Stevens *v.* Stevens
Somerset—Barwell *v.* Inhabs.
,, of Hundred Winterstoke
,, Doe *d.* Welsh *v.* Notley
Northam.—Powell *v.* Hibbert
,, Doe *d.* Hubbard *v.* Hubbard
Lincoln—Allison *v.* Draper
,, Reg. *v.* Betts
,, Same *v.* Same
Warw.—Edwards *v.* Knowles
Camb.—Morton *v.* Tibbutt
Durham—Humphries *v.* Brogden
York—Livingstone *v.* Whiting
Liv'pool—Manchester, Sheffield, and Lincolnshire Railway Co. *v.* Blinkhorn
Essex—Doe *d.* Davenish *v.* Moffatt
,, Leary *v.* Patrick
Sussex—Hurst *v.* Hurst
,, Gates *v.* Gosden
Surrey—Robinson *v.* Banwen Iron Company
,, Dimes *v.* Pettey
Worcest.—Phillpotts & ors. *v.* Evers & an.
Stafford—Banks *v.* Baldwin
,, Doe *d.* Sayer *v.* Hatton
Salop—Griffiths *v.* Marcy
Monmouth—Williams & ors. *v.* James
Chester—Doe *d.* Reade *v.* Hall

SPECIAL CASES AND DEMURRERS
FOR TRINITY TERM, 1849.

Those marked thus * are Special cases—the rest are demurrers.

STANDING FOR JUDGMENT.

*Russell *v.* Phillips
*Green & ors. *v.* St. Katherine Dock Co.
Ryan *v.* Clark & an.
**Ayrton* & an. *v.* Abbott & an.
**Sherlock v.* Spiers
Duke of Rutland *v.* Bagshaw

FOR ARGUMENT.

Morris *v.* Duke of Beaufort (stands over by consent)
Everest & ors. *v.* Humphery (stands over by arrangement)
*Doe *d.* Payne *v.* Plyer (part heard)
Smith & an. *v.* Alexander
Small & ors. *v.* Gibson
Howley *v.* Knight
Milner *v.* Janes
*Wilson *v.* Eden, Bart.
*Doe *d.* Reg. *v.* Archbishop of York (appointed to be taken first case on 1st June, 1849).
Marson & an. *v.* Lund
Flockton & ors. *v.* Hall & ors.
Dowdall *v.* Hallett & ors.
Same *v.* Same
Same *v.* Same
Same *v.* Same
Ryan *v.* Giles
Smith *v.* Bennet
Ricketts *v.* Loftus
*Evelyn *v.* Worsfold
*Steele *v.* Hoe
Russell & an. *v.* Barnard
Dewar & an. *v.* Hallett & ors.
Same *v.* Whittam & ors.
Same *v.* Hatfield & ors.
Pye *v.* Plant & ors.
Palmer *v.* Welch
Cannon *v.* Wetherill
Woolley & an. *v.* Vernon
Rossetti *v.* Watling
Hudson *v.* Elkins
*Huntley & ors. *v.* Pinto & an.
*Houlden *v.* Smith
*Bunter & an. *v.* Cresswell
Whitmore & ors. *v.* Hale & an.
Armitage *v.* Insole & an.
Sharp *v.* Fuller
Thompson *v.* Ingham & an.
Meyrick & an. *v.* Anderson
Ghislin *v.* Deen
Sayles *v.* Blane
Tull *v.* Tull
Freer *v.* Salmon
Chrisp *v.* Atwell
Birkenhead, Lancashire, and Cheshire Junction Railway Co. *v.* Chadwick
*Wray *v.* Chapman
Koeber *v.* Gomersall
*Bittlestone & ors. *v.* Eastern Counties Railway Co.
Phene *v.* Bowles
Adams *v.* Andrews
Dairs *v.* Dixon & an.
Franks *v.* Edwards
Stronghill *v.* Buck
Cook *v.* Field
*Knight & ors. *v.* Faith & an.
*Toller *v.* Attwood
Sims & an. *v.* Donovan
Meyer & an. *v.* Cockburn
Morris *v.* Walker
Bennett and others *v.* Batten and others
Barnes & an. *v.* Howard
*West Cornwall Railway Co. *v.* Mowatt

ENLARGED RULES
FOR TRINITY TERM, 1849.

Those marked thus * are to be heard in the Bail Court.

Allen & ors. *v.* Goodchild
Freeman (a pauper) *v.* Rosher (part heard)
*Universal Salvage Comp. *v.* Winthrop
*Same *v.* Norcott
*Foster *v.* Dawson
*Same *v.* Loftus
*Swindall *v.* Loftus
Day *v.* Paupierre
Reg. *v.* London and North-western Railway Co.
Same *v.* Surveyors of Woodditton
*Same *v.* Justices of Oxfordshire
Same *v.* Great Western Railway Co.
Same *v.* Inhabs. of Moreton
*In re Haddon *v.* Shearman
*Noyes *v.* Smith
*Halket *v.* Merchant Traders Ship, Loan, and Insurance Association
Dyke *v.* Brewer & an.
*Ferris *v.* Curzon
*Jordan *v.* Binckes
*In re Triston
Reg. *v.* South Wales Railway Co.
Same *v.* Same
*Same *v.* Justices of Suffolk
Stevens *v.* Lumley
*In re Jenner
*Falkner & an. *v.* Dow & an.
*Reg. *v.* Mayor of Bath
*Same *v.* Same
*Same *v.* Riley

CROWN PAPER, TRINITY TERM, 1849.

Derbyshire.... Reg. *v.* Inhabitants of All Saints.
Somersetshire.. ——— Inhabitants of Winsford.
Middlesex .... ——— Inhabs. of Aston, near Birmingham.
Wiltshire .... ——— Inhabitants of Bradford.
Yorkshire .... ——— Mayor and Aldermen of Hull.
Cornwall ..... ——— Inhabitants of Crowan.
Lincolnshire .. ——— J. Perkins.
Lancashire.... ——— Inhabitants of Wigan.
Cambridgeshire ——— Newmarket Railway Company.
Cornwall ..... ——— Inhabitants of Bodmin.
Surrey ..... ——— Inh. of St. Pancras (with Lambeth).
Lancashire.... ——— Inhabitants of Wolverhampton.
Surrey ..... ——— Commissioners of Woods and Forests.
Lancashire.... ——— Inhabitants of Spotland.
St. Alban's .. ——— W. Thomas.
Lincolnshire .. ——— Inhabitants of Holywell.
Worcestershire ——— F. W. Dyer.
Surrey..... ——— London, Brighton, and South Coast Railway Company.
Lancashire.... ——— Inhabitants of Preston (with Roeburndale)
Same..... ——— Same (with Elswick).
Kent..... ——— Inhabitants of Chatham.
Hants ..... ——— Inhabitants of Basing.
Norfolk..... ——— Inhabitants of Chedgrave.
Kent ..... ——— Rigby & ors.
Lichfield ..... ——— Mott.
Carnarvon.... ——— Guardians of Carnarvon Union.
Surrey..... ——— Inhabitants of Camberwell.
Norwich..... ——— Inhabitants of St. Mary, Bungay, Suffolk.
Middlesex.... ——— C. Blanc.
Wiltshire .... ——— T. Holborow.
Lancashire.... ——— Inhabitants of Over.
Worcestershire ——— B. Parham.
Herefordshire ——— Same.
Glamorganshire ——— Aberdare Canal Company.
London..... ——— G. Stacy.
Hants..... ——— Inhabitants of Basingstoke.
Middlesex.... ——— Inhabitants of St. Giles-in-the-Fields.

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Court of Common Pleas.

NEW TRIALS.

EASTER TERM, 1848.

Midd.—Franklin *v.* M'Leod
Lond.—Lewis *v.* Campbell
,, Walker *v.* Giles
,, Bayley *v.* Wilkins
,, Somerville *v.* Hawkins
,, Jones *v.* Broadhurst
Surrey—Pennell *v.* Stephens
Somerset—Lee *v.* Lester

TRINITY TERM, 1848.

Midd.—Sawyer *v.* Langford
,, Thorogood *v.* Bryan
Lond.—French *v.* Candy
,, Maxey *v.* Thomas
,, Rathbone *v.* Clarke
,, Green *v.* Slack
,, Groom *v.* Watson
,, Smith *v.* Thompson

MICHAELMAS TERM, 1848.

Midd.—Morgan *v.* Field
,, Newton *v.* Chaplin
Midd.—Russell *v.* Tubb
,, Smith *v.* Pritchard
Lond.—Monaghan *v.* Walker
,, Fitch *v.* Martyr
,, Howard *v.* Mull
,, Smith *v.* Hull Glass Co.
,, Moss *v.* Smith
,, Stebbing *v.* Spicer
Denbigh—Doe *d.* Williams *v.* Sparrow
Chester—Worthington *v.* Warrington
Essex—Wilby *v.* Elston
Sussex—Doe *d.* Eversfield *v.* Troup
Surrey—Alcock *v.* Butt
Surrey—Cory *v.* Norfolk Railway Co.
,, Kempson *v.* Grayfere
,, Hamilton *v.* Cochran
Suffolk—Doe *d.* Archer *v.* Johnson
,, Same *v.* Same
Norfolk—Heyhoe *v.* Burge
,, Morse *v.* Same
York—Duncan *v.* Topham
Hants—Pilgrim *v.* Southampton and Dorchester Railway Co.
Bristol—Acraman *v.* Morris
,, Lewis *v.* Lloyd
Glamorgan—Doe *d.* Rogers *v.* Price
Oxon—Hicks *v.* Gregory

HILARY TERM, 1849.

Midd.—Cattlin *v.* Hills
,, West *v.* Baxendale
Lond.—Barnes *v.* Troup
,, Lindsey *v.* Barron
,, Warren *v.* Peabody
,, Vines *v.* Arnold

EASTER TERM, 1849.

Midd.—Graham *v.* Gould
Lond.—Gillingham *v.* Stuart
,, Stansfield *v.* Gladstane
,, Kincaid *v.* Willis
,, Same *v.* Same
Berks.—Newbury Gas & Coke Co. *v.* Benny
Camb.—Crisp *v.* White
Bucks—Tindal *v.* Deering
Surrey—Vander Donckt *v.* Thelluson
Sussex—Turner *v.* Kenworthy
Yorksh.—Doe *d.* Strickland *v.* Strickland

ENLARGED RULES.

First Day.

Glennie *v.* Cook
Collman *v.* Beadman

DEMURRER PAPER.

Wednesday, May 30.

Engstrom *v.* Brightman
Hill *v.* Kempshall
Wood *v.* Governors and Co. of Copper-Miners of England
Tate *v.* Hitchings
Robinson *v.* Marquis of Bristol
Devaux *v.* Conolly
Robinson *v.* Marquis of Bristol
Paterson *v.* Davis
Kinnersley *v.* Knott
Doe *d.* Brammall *v.* Collings
Westrop *v.* Solomon
Fagan *v.* Harrison
Baniven Iron Co. *v.* Barnett
Edwards *v.* Jevons
Johnson *v.* Few
Gibbons *v.* Vouillon
Greene *v.* Reece
Wood *v.* Governor & Co. of Copper-mines in England
Porcher *v.* Gardner
Bell *v.* Bidgood
Johns *v.* Dickinson
Doe *d.* Camon *v.* Rucastle
Bell *v.* Cory
Cuthbert *v.* Walker
Jones *v.* How
Sterry *v.* Clifton
Reid *v.* Simpson
Dakin *v.* Brown
Gooch *v.* Johnson
Phillips *v.* Pickford
Catterall *v.* Lees
Masters *v.* Ibberson
Navone *v.* Hadden
Temple *v.* Sleigh
Storie *v.* Bishop of Winchester
Christmas *v.* Beecham
Williams *v.* Samuel
Cunliffe *v.* Ley
Kilkenny and Valencia Railway *v.* Haggard

CUR. ADV. VULT.

Morgan *v.* Earl of Abergavenny
Phillips *v.* Lewis
Nickels *v.* Ross
Same *v.* Same
Garrard *v.* Tuck
Fitzgerald *v.* Fitzgerald
Hopwood *v.* Thorn
Russell *v.* Briant
Beard *v.* Egerton
Croll *v.* Edge
Wright *v.* Colls
Kinning *v.* Buchanan
Munroe *v.* Bordier
Duke of Brunswick *v.* Sloman
Same *v.* Same
Same *v.* Same
Sands *v.* Clarke
Barnes *v.* Ward
Thompson *v.* Wesleyan Newspaper Association
Same *v.* Same

APPEAL FROM REVISING BARRISTER.

No.	*County.*	*Appellant. Respondent.*
7...	Worcestershire.....	Palmer.. Allen

Court of Exchequer.

SITTINGS—TRINITY TERM, 1849.

		Banc.	*Nisi Prius.*
Tuesday..	*May* 22	Motions and Peremptory Paper	.....
Wednesday....	23	Peremptory Paper and Motions	Midd. 1st Sitting
Thursday.....	24	.....	.....
Friday.....	25	.....	.....
Saturday.....	26	.....	.....
Monday.....	28	Special Cases	.....
Tuesday.....	29	Errors	London 1st Sitting
Wednesday....	30	Demurrers	Midd. 2nd Sitting
Thursday.....	31	Circuits Chosen	.....
Friday....	*June* 1	Special Cases	.....
Saturday	2	Crown Cases	.....
Monday.....	4	Demurrers	.....
Tuesday.....	5	.....	London 2nd Sitting
Wednesday....	6	Special Cases	Midd. 3rd Sitting
Thursday.....	7	.....	.....
Friday	8	.....	.....
Saturday.....	9	.....	.....
Monday.....	11	.....	.....
Tuesday.....	12	.....	.....

NEW TRIALS.

FOR JUDGMENT.

Moved Mich. Term, 1848.

Stafford—Sharrod *v.* London and North-western Railway Co.
York—Reedie *v.* Same
,, Hobbitt *v.* Same

Moved Easter Term, 1848.

Midd.—Glen *v.* Dungay

Moved Mich. Term, 1848.

Midd.—Boosey *v.* Purday
,, Same *v.* Same
Lond.—Mackintosh *v.* Mitchesson
York—Brooke *v.* Faviell
Newcastle—Ness *v.* Angas
,, Same *v.* Gouthwaite
,, Ness *v.* Armstrong
,, Master Pilots &c. of Newcastle *v.* Hammond

FOR ARGUMENT.

Moved Easter Term, 1847.

Lond.—Ralli *v.* Denistown

Moved Mich. Term, 1848.

Bristol—Cross *v.* Dando
Newcastle—Ness *v.* Gouthwaite
,, Same *v.* Richardson
,, Same *v.* Glaholm
Carlisle—Aglionby *v.* Williams
Liv'pool—Clarke *v.* Holford

Moved after the 4th Day of Mich. Term, 1848.

Midd.—Bull *v.* Rankin
,, Elderton *v.* Lack

Moved Hil. Term, 1849.

Midd.—Homersham *v.* Wolverhampton Waterworks Co.
,, Wheeler *v.* Stiles
,, Manning *v.* Wilkin
Lond.—Thompson *v.* Bailey
,, Nicholson *v.* Royes
,, Richardson *v.* Barnes
,, Wakley *v.* Healey

Moved Easter Term, 1849.

Midd.—Ford *v.* Elliott
,, Same *v.* Same
,, Wakley *v.* Cooke
,, Broadwood *v.* Ashton
,, Scarisbrook *v.* Kennard
Lond.—Trewheela *v.* Thomas
,, Woolfe *v.* Cobbold
,, Gann *v.* Hunter
,, Gull *v.* Lindsay
,, Walker *v.* Collick
,, Same *v.* Same
,, Barker *v.* Richards
,, Cobbett *v.* Grey
,, Grapes *v.* Bunney
Camb.—Fryer *v.* Gathercole
Norwich—Long *v.* Bignold
Maidstone—Midland Great Western Railw. Co. *v.* Farquhar
Same *v.* Masterman

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Durham—Cansfield *v.* Blenkinsop
York—Acomb *v.* Rawson
Liv'pool—Middleton *v.* Barned
,, Bradshaw *v.* Gibb
,, Ripley *v.* M'Clure
,, Prichard *v.* Nicol
,, Wollheim *v.* Paulet
,, Paulet *v.* Wollheim
,, Rice *v.* Gerard
Wors'ter—Brettell *v.* Williams
,, Same *v.* Same
Stafford—Douglass *v.* Douglass
,, Stokes *v.* Shotton
Glo'ster—Lloyd *v.* Jackson
,, Baird *v.* Hogges
Winchester—Gordon *v.* Rolt
Dorchester—Saunders *v.* Topp
,, Hingeston *v.* Kelly
Exeter—Mason *v.* Cole
,, Doe *d.* Buck *v.* Moyse
Bodmin—Toll *v.* Lee
Taunton—Moore *v.* Jekyll
Lincoln—Thistlewood *v.* Rudgard
Leicester—Johnson *v.* Midland Railway Co.
Warwick—Brown *v.* Furness
,, Keene *v.* Dilke
Swansea—Beaufort *v.* Morris
Carmarthen—Manders *v.* Williams

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before Motions.

Adlington *v.* Coles
Adkins *v.* Applebie
Levingston *v.* Rawcliffe
In re Tolson
Hassell *v.* Merchant Traders Loan Association
Vickerman *v.* Beadle
Partridge *v.* Gardner

SPECIAL PAPER.

Special Cases.

For Judgment.

Hollingworth *v.* Palmer (heard April 25)
Rigby *v.* Great Western Railway Co. (heard April 30)
Doe *d.* Clift *v.* Birkhead (heard May 2)

For Argument.

Harcourt *v.* Wyman
Same *v.* Same
Same *v.* Same
Same *v.* Same (part heard Jan. 26 and April 27)
Bird *v.* Brown
Spooner *v.* Payne
Ker *v.* Pickering
Murray *v.* Murray
Teschemaker *v.* Renshaw
Hamilton *v.* Spottiswoode
Wilson *v.* Eden
Seaman's Hospital Society *v.* Mayor, &c. of Liverpool
Beaumont *v.* Routledge
Mortimer *v.* Hartley
Follett *v.* Moore
Blagrave *v.* Blagrave
Morrell *v.* Fisher
Beaufort *v.* Smith
Norman v. Thompson

Demurrers.

For Judgment.

Chauntler *v.* Robinson (heard Jan. 26, 1849)
Ness *v.* Bertram (heard Jan. 29, 1849)
Leeds and Thirsk Railway Co. *v.* Fearnley (heard Feb. 20, 1849)
Luccock *v.* Smith (heard May 2, 1849)
Higgins *v.* Pitt (heard May 15, 1849)

For Argument.

Southby *v.* Bridgman (stayed by injunction)
Oliver *v.* Fielden
Reed *v.* Allan
Cross *v.* Allan
Mostyn *v.* Eyton
Simpson *v.* Lee
Eyton *v.* Littledale
Vallee *v.* Dumergue

Gray's Inn, *May* 14.—Notice is given (with the sanction of the Treasurer and Benchers of this society) that there will be a voluntary examination for honours in the English laws of real property, in the hall of Gray's Inn, in Trinity Term, namely, on Thursday, 7th June next, at ten o'clock A.M. All students for the Bar will be qualified to stand on this occasion. The names of the successful candidates alone will appear in the class list, so that those who do not think proper to go in for honours, or who do not succeed, will not be prejudiced. The gentleman who attains the first place in the class list will receive the "lecturer's prize," consisting of a set of the Reports of Vesey, jun., (20 vols.), provided the standard of merit reached be not inadequate, in the opinion of the examiners, to entitle the candidate to distinction.

London Gazettes.

TUESDAY, May 15.

BANKRUPTS.

JOHN NAPTHALI HART, King-street, Finsbury-square, Middlesex, watch manufacturer, dealer and chapman, (trading under the firm of N. Hart & Son), May 30 at 1, and June 26 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Spyer, 30, Broad-street-buildings, City.—Fiat dated May 12.

THOMAS FREDERICK JACKSON, Southampton, auctioneer and surveyor, dealer and chapman, May 24 at 1, and July 7 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Tucker and Steavenson, Threadneedle-st.—Fiat dated May 12.

JOSEPH SLATER, Friday-street, Cheapside, London, warehouseman, May 26 at 2, and July 7 at half-past 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Reed & Co., Friday-street, Cheapside.—Fiat dated May 15.

CHARLES CHEEL, Paddington-green, Paddington, Middlesex, victualler, May 23 and June 28 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Goddard & Co., Wood-street, Cheapside.—Fiat dated May 15.

CHARLES RICHARDSON, Birmingham, coachmaker, dealer and chapman, May 29 and June 26 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Powell, Birmingham.—Fiat dated May 10.

DECIMUS FIELD, Frome, Somersetshire, linen and woollen draper, dealer and chapman, May 29 and June 26 at 1, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Masterman, Wine-office-court, Fleet-street, London.—Fiat dated May 10.

THOMAS ROBINSON, Ripon, Yorkshire, ironfounder, dealer and chapman, May 31 and June 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Sidebottom, Hull; Bell & Co., Bow-churchyard, London.—Fiat dated May 10.

BRYAN RAMSDEN, Dewsbury, Yorkshire, bone merchant, dealer and chapman, May 31 and June 15 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Taylor & Westmoreland, Wakefield; Scott & Co., Lincoln's-inn-fields, London.—Fiat dated May 10.

SAMUEL NORTH, Spilsby, Lincolnshire, innkeeper, brewer, and farmer, May 30 and June 20 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Walker & Sons, Spilsby; Blackburn, Leeds; Walmsley, New-inn, London.—Fiat dated April 26.

JOHN TURNBULL, Scarborough, Yorkshire, linen and woollen draper, dealer and chapman, June 1 and 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Greaves, Leeds; Jacques & Co., Ely-place, London.—Fiat dated May 11.

JOHN HUGHES, Holyhead, Anglesey, draper and shopkeeper, dealer and chapman, May 24 and June 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Griffith, Holyhead and Carnarvon; Jones, St. Mildred-court, London.—Fiat dated May 11.

Meetings.

Robert Turtill, High Holborn, Middlesex, saddler, May 26 at 1, Court of Bankruptcy, London, pr. d.—*John Boulcott*, Worcester, glove manufacturer, May 26 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*Jos. Woodhams*, Tonbridge, Kent, grocer, May 25 at 1, Court of Bankruptcy, London, last ex.—*John Cossins*, New Church-st., Portman-market, Middlesex, linen draper, June 6 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas Manders*, High-row, Knightsbridge, Middlesex, victualler, June 6 at 12, Cour of Bankruptcy, London, aud. ac.—*Robert Lister*, Belper, Derbyshire, draper, June 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Monk*, Manchester, merchant, June 7 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Walter Sheppard*, Manchester, spirit dealer, June 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Knight*, Wigan and Haydock, Lancashire, butcher, June 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Richard J. S. Melling*, Wakefield, Yorkshire, dyer, June 7 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Moses Preston*, Wakefield, Yorkshire, surgeon, June 7 at 11, District Court of Bankruptcy, Leeds, aud. ac.—

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John Binch, Nottingham, grocer, June 8 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Henry Ridsdale* and *Henry Carter Snell Chauncy*, Liverpool, share brokers, June 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Christopher Hall*, Liverpool, corn factor, June 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry D. Cooke*, Liverpool, dealer in paper hangings, June 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Francis*, Liverpool, tailor, June 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry A. Stewart*, Liverpool, ship broker, June 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Peter Richard* and *Andrew H. Aikin*, Liverpool, merchants, June 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Fras. Geo. Harbord*, Liverpool, wine merchant, June 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robt. Edw. Alison* and *W. L. Cumberlege*, New Broad-street, London, and Valparaiso, in the Republic of Chili, merchants, June 5 at 11, Court of Bankruptcy, London, div.—*John Reay* the younger and *Henry Reay*, Mark-lane, London, wine merchants, June 7 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Edw. H. Guillaume*, Botley, Southampton, timber merchant, June 7 at half-past 1, Court of Bankruptcy, London, div.—*Henry Peet*, Ludgate-hill and Newgate-street, London, printer, June 7 at 11, Court of Bankruptcy, London, div.—*Thomas Withers*, St. Dunstan's-hill, London, wine merchant, June 7 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Lyon* and *Edward Lyon*, Birchin-lane, London, bill brokers, June 7 at 2, Court of Bankruptcy, London, div.—*S. S. Woollatt*, Holborn-hill, London, draper, June 6 at 1, Court of Bankruptcy, London, div.—*James Robinson*, Slough, Buckinghamshire, grocer, June 6 at 12, Court of Bankruptcy, London, div.—*Robt. Neal*, Wandsworth-common, Surrey, nurseryman, June 6 at 12, Court of Bankruptcy, London, div.—*Humphrey Layfield*, Burnley, Lancashire, boiler maker, June 6 at 12, District Court of Bankruptcy, Manchester, div.—*G. Schofield*, Rastrick, Halifax, Yorkshire, manufacturer, June 12 at 11, District Court of Bankruptcy, Leeds, div.—*Robert Glover* and *Fred. Glover*, Leeds, Yorkshire, dyers, June 5 at 12, District Court of Bankruptcy, Leeds, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Hughes, Dover, Kent, linen draper, June 7 at half-past 1, Court of Bankruptcy, London.—*Thomas Manders*, High-row, Knightsbridge, Westminster, Middlesex, victualler, June 6 at 12, Court of Bankruptcy, London.—*James R. H. Withers*, Bristol, linen draper, June 7 at 12, Court of Bankruptcy, London.—*Christopher Pope* the younger, Newport, Monmouthshire, ship broker, June 7 at 11, District Court of Bankruptcy, Bristol.—*Henry Ridsdale* and *H. C. S. Chauncy*, Liverpool, share brokers, June 6 at 11, District Court of Bankruptcy, Liverpool.—*Richard Bullock*, Kidderminster, Worcestershire, corn factor, June 9 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 5.

James Kyrke, Glascoed, Denbighshire, lime burner.—*John Rhodes*, Clegg-hall, and *James Rhodes*, Rochdale, Lancashire, cotton spinners.—*John Hitchen*, Beeston, Cheshire, joiner.—*Charles Reeves*, Bath, Somersetshire, marble mason.—*Wm. Parkinson*, Newcastle-upon-Tyne, merchant.—*John Taft*, Paddington, Middlesex, carpenter.—*John Dawson*, Fairford, Gloucestershire, maltster.—*H. Emanuel*, Hanover-square, Middlesex, goldsmith.

FIAT ANNULLED.

Thomas Tebbutt, Soham, Cambridgeshire, victualler.

PARTNERSHIP DISSOLVED.

Fred. B. Philbrick and *Henry John Philbrick*, Colchester, Essex, attornies at law and solicitors, (carrying on practice under the firm of F. and H. Philbrick).

SCOTCH SEQUESTRATIONS.

A. M'Kinlay, Glasgow, merchant.—*David Reid*, Burntisland, tea merchant.—*Thomas Dick*, Dundee, cattle dealer.—*D. M. M'Dougall*, Glasgow, iron merchant.—*J. M'Donald*, Aberfeldy, corn dealer.—*George M'Intyre*, Auchtermuchty, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Upton, Liverpool, cabinet maker, May 21 at 10, Liverpool District County Court, at Liverpool.—*John Kinder*, Birkenhead, Cheshire, out of business, June 1 at 10, County Court of Cheshire, at Birkenhead.—*Edmund Bryant*, Woolvercott, Oxfordshire, vendor of patent medicines, May 23 at half-past 10, County Court of Oxfordshire, at Woodstock.—*Edwin Henry Whittington*, Clifton, Bristol, brassfounder, June 6 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Alfred Fearey*, Birmingham, wood turner, May 21 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Heyes*, Mold, Flintshire, brewer's traveller, June 4 at 2, County Court of Flintshire, at Mold.—*Jas. Ashwin*, Aston Manor, near Birmingham, surveyor, May 21 at 2, County Court of Warwickshire, at Birmingham.—*James Jones*, Newton-in-Mackerfield, Lancashire, labourer, June 7 at 10, County Court of Lancashire, at Warrington.—*Thos. Ovenden*, Bristol, carpenter, June 6 at 11, County Court of Gloucestershire, at Bristol.—*George Ware*, Liverpool, stationer, May 21 at 10, Liverpool District County Court, at Liverpool.—*J. Pearson*, Liverpool, surgeon, May 21 at 10, Liverpool District County Court, at Liverpool.—*John Ward*, Sculcoates, Kingston-upon-Hull, bricklayer, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Robert Southgate*, Southcoates, labourer, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*J. Dodsworth*, Toll Gavel, Beverley, Yorkshire, music seller, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Thomas Dodsworth*, Toll Gavel, Beverley, Yorkshire, music seller, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Benj. Russell*, Kingston-upon-Hull, grocer, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Wm. Acklam Kirby*, Sculcoates, Kingston-upon-Hull, merchant's clerk, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*J. Wilkinson*, Willerby, Yorkshire, farmer, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Thomas Knott*, Bourne, Lincolnshire, licensed victualler, June 5 at 12, County Court of Lincolnshire, at Bourne.—*Palmer Parkinson*, Ryhall, Rutlandshire, farmer, June 4 at 2, County Court of Lincolnshire, at Stafford.—*Sam. Bettison Holmes*, Kingston-upon-Hull, out of business, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Sam. Storer*, Tannington, Suffolk, shoemaker, May 24 at 10, County Court of Suffolk, at Framlingham.—*Sam. J. Aston*, Aston, Birmingham, medical capsule manufacturer, May 21 at 2, County Court of Warwickshire, at Birmingham.—*George Salter*, Birmingham, canal carrier, June 4 at 2, County Court of Warwickshire, at Birmingham.—*John Arrowsmith*, Birmingham, painter, May 21 at 2, County Court of Warwickshire, at Birmingham.—*George Wright*, Thetford, Norfolk, plumber, May 26 at 2, County Court of Norfolk, at Thetford.—*Wm. Warren*, Bath, in no way of business, May 19 at 12, County Court of Somersetshire, at Bath.—*James Short*, Liskeard, Cornwall, builder, June 5 at 10, County Court of Cornwall, at Liskeard.—*John Jasper*, Kidderminster, Worcestershire, out of business, May 22 at 10, County Court of Staffordshire, at Stafford.—*Wm. Linfoot*, York, bricklayer, May 31 at 9, County Court of Yorkshire, at York.—*Jon. Blenkhorn*, Strensall, near York, labourer, May 31 at 9, County Court of Yorkshire, at York.—*George Fox*, Desborough, Northamptonshire, shoemaker, May 17 at 3, County Court of Northamptonshire, at Kettering.—*Henry Todd*, Kingston-upon-Hull, plumber, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 29 *at* 11, *before Mr. Commissioner* HARRIS.

Edmund Craven, Lower Tooting, Surrey, wheelwright.—*Jas. Rough*, Great Chart-st., Hoxton, Middlesex, plasterer.—*Charles Davis*, Craven-st., Hoxton, Middlesex, plasterer.

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Saturday, May 12.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Jas. Chalmers Carter, Liverpool, chief officer of the steamship Vectis, No. 70,955 C.; Ed. Prosser, assignee.—*Thomas Pocklington*, Bull's-place, Shepherdess-walk, City-road, Middlesex, rope manufacturer, No. 60,598 T.; William Eusebius Dandy, assignee.—*George Hickes*, High-st., Camberwell, Surrey, shopman to a cheesemonger, No. 58,759 T.; Thomas Wright, assignee.—*Thos. Vincent Cavell*, Deal, Kent, bookseller, No. 70,925 C.; George Batt Batchelor, assignee.

Saturday, May 12.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Cox, Vine-cottage, Rye-lane, Peckham, Surrey, retired serjeant in the Foot Guards: in the Gaol of Horsemonger-lane.—*Henry Simpson*, Ossulston-street, Somerstown, Middlesex, cheesemonger's shopman: in the Queen's Prison.—*John Jack*, Willow-walk, Kentish-town, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Andrew H. M'Donald*, Mortimer-street, Cavendish-square, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*James Hunter* the younger, Barnes-place, Mile-end-road, Middlesex, auctioneer: in the Queen's Prison.—*Wm. Hallett*, Croydon, Surrey, cowkeeper: in the Gaol of Horsemonger-lane.—*George Wm. Fletcher*, Millbrook, near Southampton, Hampshire, out of business: in the Debtors Prison for London and Middlesex.—*George Edward Downe*, Rushden, Northamptonshire, clerk: in the Debtors Prison for London and Middlesex.—*Thos. Sargison*, Henry-street, White Horse-lane, Stepney, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John Ainslie*, Perry-hill, Sydenham, Kent, draining engineer: in the Debtors Prison for London and Middlesex.—*Edward Langley*, Eaton-place, North-row, Grosvenor-sq., Middlesex, carver: in the Debtors Prison for London and Middlesex.—*Edward Fereday*, Westbromwich, Staffordshire, cordwainer: in the Gaol of Coventry.—*George P. Garlick*, Coughton, Warwickshire, grocer: in the Gaol of Coventry.—*John Hogg*, Mathon, Worcestershire, carrier: in the Gaol of Worcester.—*James Killin*, Neithrop, near Banbury, Oxfordshire, grocer: in the Gaol of Oxford.—*George Pope*, South Brent, near Weston-super-Mare, Somersetshire, farmer: in the Gaol of Wilton.—*John Story*, Manchester, surgeon: in the Gaol of Lancaster.—*Jos. Whiteside*, Layton Rakes, near Blackpool, Lancashire, out of business: in the Gaol of Lancaster.—*Randle Bower*, Woodhead, Longdendale, Cheshire, cattle dealer: in the Gaol of Chester.—*T. Edgerley*, Davenham, near Northwick, Cheshire, farmer: in the Gaol of Chester.—*Benj. Horsfield*, Barnsley, Yorkshire, innkeeper: in the Gaol of York.—*Samuel Lees*, Micklehurst, Tintwistle, Cheshire, cotton-waste dealer: in the Gaol of Chester.—*Wm. Bayley*, Salford, Lancashire, beerseller: in the Gaol of Lancaster.—*John Brown*, Berry-edge, Durham, innkeeper: in the Gaol of Durham.—*Benj. Leach*, Thornton, near Skipton in Craven, Yorkshire, railway sub-contractor: in the Gaol of York.—*Alex. Mitchell*, Ross, Herefordshire, bootmaker: in the Gaol of Hereford.—*Eliz. Cross*, Pudlicott, near Charlbury, Oxfordshire, servant: in the Gaol of Oxford.—*Thos. Heppell*, Newcastle-upon-Tyne, out of business: in the Gaol of Newcastle-upon-Tyne.—*Geo. M'Aleavey*, Greenwich, Kent, licensed hawker: in the Gaol of Maidstone.—*Robert Snowdon*, Kirk Deighton, Wetherby, Yorkshire, bone merchant: in the Gaol of York.—*John G. Thornton*, Bishop Auckland, Durham, chemist: in the Gaol of Durham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 30 at 10, before Mr. Commissioner LAW.

Chas. T. Wildey, High Holborn, Middlesex, coach-spring maker.—*Rich. Swann*, Cross-st., Blackfriars-road, Surrey, butcher.—*Elias S. Treby*, Wenlock-terrace, Wenlock-road, City-road, Middlesex, plasterer.

May 31 at 11, before Mr. Commissioner HARRIS.

Adjourned.

Victor Coedes de Coppa, Rathbone-place, Oxford-street, Middlesex, commission agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, *June 9 at 10.*

Wm. Smith, Kingston-upon-Hull, out of business.

At the County Court of Hertfordshire, at HERTFORD, *May 24.*

John Hall, Great Gaddesden, shoemaker.—*John Smith*, Bushey, agricultural labourer.

At the County Court of Hampshire, at WINCHESTER, *May 30.*

Henry Powell, Totton, Eling, wheelwright.

INSOLVENT DEBTORS' DIVIDENDS.

Wm. White, Street, Cobham, Surrey, cooper: 1*s.* 3*d.* in the pound.—*Edward Justins* the elder, Mark-lane, London, printer: 1*s.* in the pound.—*Edward Justins* the younger, Mark-lane, London, printer: 1*s.* 1½*d.* in the pound.—*John Pearse*, Larkhall-lane, Clapham, Surrey, chemist: 2*s.* 8*d.* in the pound.—*Fisher Jackson*, Wellclose-sq., Middlesex, pensioner, East India Company: 4*s.* 6*d.* in the pound.—*Alex. Horn*, Portsea, Hampshire, master in the Navy: 3*s.* 4*d.* in the pound.—*Adam Grinton*, Prospect-row, Woolwich, Kent, clerk in the arsenal: 8*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 and 1.

FRIDAY, MAY 18.

BANKRUPTS.

WILLIAM COUCHMAN, Farringdon-st., London, draper, dealer and chapman, May 25 and June 29 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Ashurst & Son, 6, Old Jewry.—Fiat dated May 17.

HENRY WALKER, Coleman-street, London, oilman, May 30 at half-past 1, and June 29 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Dingwall, Tokenhouse-yard, City.—Fiat dated May 16.

ROBERT DAW the younger, Launceston, Cornwall, and Napier-street, City-road, Middlesex, linen draper, June 2 at 1, and July 7 at 12, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Lloyd, Milk-street, Cheapside.—Fiat dated May 17.

JOHN PERRY the younger, High-street, Camberwell, Surrey, oilman, dealer and chapman, May 25 at 1, and June 26 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Teague, 5, Crown-ct., Cheapside.—Fiat dated May 16.

JACOB JACOBS, Canterbury, Kent, auctioneer and furniture dealer, dealer and chapman, May 24 and June 27 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Cullen, High-st., Poplar.—Fiat dated May 11.

HENRY GIRDLESTONE, formerly of Lyndhurst, Hampshire, but now of North Audley-street, Middlesex, apothecary, dealer and chapman, May 31 at 12, and June 28 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Chappell, Golden-square.—Fiat dated May 16.

VINCENT JENKINSON, Stanhope-street, Park-place, Camden-town, butcher, and JOHN STAFFORD ROLLISON, Brant Broughton, Lincolnshire, out of business, (both formerly of Argyll-street, King's-cross, Middlesex, cowkeepers and dairymen, dealers and chapmen), May 25 and June 26 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Dod, 16, Great Marlborough-street.—Fiat dated April 21.

PHILIP BOND, Birmingham, and Burton-upon-Trent, Staffordshire, corn and grain dealer, dealer and chapman, May 29 and July 3 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Fiat dated May 9.

WILLIAM HENRY HIGGITT, Wolverhampton, Staffordshire, pawnbroker and draper, May 26 and June 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Corser & Underhill, Wolverhampton.—Fiat dated May 10.

SAMUEL HIGNETT, Houlston and Middle, Shropshire, maltster and farmer, May 26 and June 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Salter & Jones, Ellesmere; Goodbehere, Birmingham.—Fiat dated May 12.

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SAMUEL STEAD, Bradford, Yorkshire, druggist, dealer and chapman, June 5 at 11, and June 25 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Saxelbye, Hull; Wilkin, Bedford-row, London.—Fiat dated May 11.

MEETINGS.

James Connell, Stanisby-road, East India-road, Poplar, Middlesex, timber merchant, June 1 at 11, Court of Bankruptcy, London, last ex.—*Edmund Curtis*, Newport Pagnel, Buckinghamshire, printer, June 1 at 1, Court of Bankruptcy, London, last ex.—*John Gurney*, Lambeth-walk, Surrey, brewer, June 14 at 2, Court of Bankruptcy, London, last ex.—*Wm. Vowler*, Crediton, Devonshire, auctioneer, June 7 at 1, District Court of Bankruptcy, Exeter, last ex.—*John H. White*, Shaftesbury, Dorsetshire, grocer, June 8 at 12, Court of Bankruptcy, London, aud. ac.—*John Nash*, Duke-street, Southwark, Surrey, hop merchant, June 8 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Gideon Hewitt*, South Molton-street, Middlesex, tailor, June 9 at 11, Court of Bankruptcy, London, aud. ac.—*J. H. Tweedie*, Wandsworth, Surrey, bookseller, June 11 at 11, Court of Bankruptcy, London, aud. ac.—*Geo. Kidman*, Long-alley, Worship-street, Middlesex, victualler, June 11 at 11, Court of Bankruptcy, London, aud. ac.—*Daniel Ross*, Ratcliff Cross Wharf, Middlesex, and Glasgow, spirit merchant, June 11 at 11, Court of Bankruptcy, London, aud. ac.; June 12 at 11, div.—*John Gamble*, Whitecross-street, Middlesex, licensed victualler, June 11 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Goring*, Hanwell, Middlesex, butcher, June 13 at 11, Court of Bankruptcy, London, aud. ac.—*F. J. Ablett*, Merthyr Tydvil, Glamorganshire, draper, June 13 at 12, Court of Bankruptcy, London, aud. ac.—*Stephen Wise*, Conduit-street South, Paddington, Middlesex, plumber, June 15 at 12, Court of Bankruptcy, London, aud. ac.—*Valentine Bimell*, Hammersmith, Middlesex, timber merchant, June 15 at 11, Court of Bankruptcy, London, aud. ac.—*W. Buddle*, Irongate-wharf, Paddington, Middlesex, timber merchant, June 8 at 1, Court of Bankruptcy, London, aud. ac.—*James B. Scott*, Denham Springs, near Chorley, and Manchester, calico printer, June 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 13 at 12, div.—*G. H. Husband*, Salford, Lancashire, joiner, June 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*G. W. Gee* and *John F. Gee*, Leeds, and Horsforth, Yorkshire, drapers, June 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 12 at 12, div.—*A. Hodgkinson*, Little Bolton, Lancashire, builder, June 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 15 at 11, div.—*C. Williamson*, Manchester, starch manufacturer, June 8 at 11, District Court of Bankruptcy, Manchester, aud. ac.; June 9 at 11, div.—*G. Samson*, Weymouth and Melcombe Regis, Dorsetshire, corn dealer, June 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 14 at 1, div.—*Robert Spencer*, St. Sidwell, Exeter, printer and bookseller, June 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 14 at 1, div.—*Francis Cowlyn*, Devonport, Devonshire, mercer, June 13 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 14 at 1, div.—*Wm. Tow*, Halifax, Yorkshire, corn dealer, June 11 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*John Nesbold*, Dudley, Worcestershire, auctioneer, June 12 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Harrison*, Yelderaley, Derbyshire, dealer and chapman, June 8 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Peckmore*, Liverpool, baker, June 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jos. Robinson Pim*, Birkenhead, Cheshire, brickmaker, June 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. St. Albin*, Liverpool, dealer in music, June 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*S. Clegg*, *Thos. Mather* the younger, and *Kenneth Pringle*, West Derby, near Liverpool, founders, June 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac. joint est.; June 15 at 11, div. joint and sep. est. of *S. Clegg*.—*J. Walker* and *Wm. Walker*, Birkenhead, Cheshire, builders, June 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Benj. Barotte*, North Walsham, Norfolk, innkeeper, June 12 at 1, Court of Bankruptcy, London, div.—*R. More* and *Benj. W. Blake*, Norwich, coal merchants, June 12 at half-past 12, Court of Bankruptcy, London, fin. div. sep. est. of *Richard More*.—*John Webb*, Luton, Bedfordshire, straw-plait dealer, June 12 at half-past 1, Court of Bankruptcy, London, div.—*Benj. Coles*, Olney, Buckinghamshire, tea dealer, June 12 at half-past 11, Court of Bankruptcy, London, fin. div.—*John Choate*, Ipswich, Suffolk, bootmaker, June 14 at 1, Court of Bankruptcy, London, div.—*Dem. Glenford Gordon*, Mortimer-st., Cavendish-square, Middlesex, merchant, June 13 at 12, Court of Bankruptcy, London, div.—*Richard Higgins*, Watling-st., London, and *Wm. Higgins*, Ludgershall, Wiltshire, drapers, June 14 at 11, Court of Bankruptcy, London, div.—*Lawrence Williams Ash*, White Lion-st., Pentonville, Middlesex, corn merchant, June 14 at 12, Court of Bankruptcy, London, div.—*A. Hewlett*, Abbott's Ann, Southampton, carpenter, June 14 at 12, Court of Bankruptcy, London, div.—*Hen. Hutchens*, Portsea, Southampton, timber merchant, June 12 at 12, Court of Bankruptcy, London, div.—*Wm. Hen. Summers*, Sackville-st., Middlesex, bill broker, June 12 at 11, Court of Bankruptcy, London, div.—*Thos. Jas. Breeds* and *Chas. Burfield* the elder, Tooley-st., Southwark, Surrey, and Hastings, Sussex, merchants, June 8 at 1, Court of Bankruptcy, London, div. joint and sep. est. of *Thos. Jas. Breeds*.—*Wm. Quincey*, Old-st., St. Luke's, Middlesex, tin-plate worker, June 14 at 1, Court of Bankruptcy, London, div.—*Stephen Fisher* and *Wm. Cliff Brown*, Newark-upon-Trent, Nottinghamshire, builders, June 8 at 11, District Court of Bankruptcy, Nottingham, aud. ac. joint est.; June 15 at 11, div. sep. est. of *S. Fisher*.—*Wm. Shaw* the younger, Salford, Lancashire, printer, June 11 at 12, District Court of Bankruptcy, Manchester, div.—*Jas. Knight*, Wigan and Haydock, Lancashire, butcher, June 9 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Rob. Lister*, Belper, Derbyshire, draper, June 15 at 12, District Court of Bankruptcy, Manchester, div.—*Jas. Monk*, Manchester, merchant, June 8 at 11, District Court of Bankruptcy, Manchester, first and fin. div.—*Walter Sheppard*, Manchester, wine dealer, June 8 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Rich. J. Sutcliffe Mellin*, Wakefield, Yorkshire, dyer, June 8 at 11, District Court of Bankruptcy, Leeds, div.—*Jos. Oxley*, Bradford, Yorkshire, cotton-warp dyer, June 8 at 11, District Court of Bankruptcy, Leeds, div.—*Thos. Hobblewhite*, Liverpool, wine merchant, June 13 at 11, District Court of Bankruptcy, Liverpool, fin. div.—*G. Francis*, Liverpool, tailor, June 14 at 11, District Court of Bankruptcy, Liverpool, div.—*H. Ridsdale* and *H. C. S. Chauncy*, Liverpool, share brokers, June 15 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *Hen. Carter Snell Chauncy*.—*M. M'Ardle*, Liverpool, grocer, June 14 at 11, District Court of Bankruptcy, Liverpool, div.—*Hen. Alex. Stewart*, Liverpool, ship broker, June 14 at 11, District Court of Bankruptcy, Liverpool, div.—*John Peter Richard* and *Andrew Hunter Aikin*, Liverpool, merchants, June 15 at 11, District Court of Bankruptcy, Liverpool, div.—*Francis George Herbord*, Liverpool, wine merchant, June 14 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Jas. Burnham, Edgeware-road, Middlesex, silkmercer, June 8 at 12, Court of Bankruptcy, London.—*Thos. Niven Kerr*, Biggleswade and Holme Mills, Bedfordshire, miller, June 9 at 11, Court of Bankruptcy, London.—*Wm. Bolton Girdlestone*, Southampton, boarding-house keeper, June 12 at 1, Court of Bankruptcy, London.—*Adam Brown*, Mount-st., Whitechapel, Middlesex, draper, June 9 at 11, Court of Bankruptcy, London.—*Henry Peet*, Ludgate-hill, and Newgate-st., London, printer, June 11 at 12, Court of Bankruptcy, London.—*John Creft*, Markham-st., Chelsea, Middlesex, general dealer, June 13 at half-past 11, Court of Bankruptcy, London.—*Geo. Cotman*, Manchester, and Leeds, Yorkshire, manufacturer, June 8 at 11, District Court of Bankruptcy, Manchester.—*Rich. Hen. Hartley*, Halifax, Yorkshire, stock broker, June 22 at 11, District Court of Bankruptcy, Leeds.—*John Peckmore*, Liverpool, baker, June 11 at 11, District Court of Bankruptcy, Liverpool.—*Ed. Evans*, Liverpool, merchant, June 22 at 11, District Court of Bankruptcy, Liverpool.—*John Dan. Verly*, Liverpool, watchmaker, June 14 at 11, District Court of Bankruptcy, Liverpool.—*Thos. Occleshead* and *Chas. Cummins*, Liverpool, commission-agents, June 15 at 11, District Court of Bankruptcy, Liverpool.—*Hen. Fenwick*, Liverpool, banker, June 8 at 11, District Court of Bankruptcy, Liverpool.—*Francis George Herbord*, Liverpool, wine merchant, June 15 at 11,

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District Court of Bankruptcy, Liverpool.—*Thos. Beckett Wade*, Dudley, Worcestershire, grocer, June 12 at 10, District Court of Bankruptcy, Birmingham.—*Charles Newsam Cartwright*, Leicester, spinner, June 15 at 10, District Court of Bankruptcy, Nottingham.—*Edwin Bannister*, Abbott's Bromley and Hill Redware, Staffordshire, harness maker, June 12 at 10, District Court of Bankruptcy, Birmingham.—*Wm. Irving*, Birmingham, draper, June 16 at 12, District Court of Bankruptcy, Birmingham.—*John Downs*, Newcastle-under-Lyme, Staffordshire, fishmonger, June 9 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 8.

Alfred Easthope, Wolverhampton, Staffordshire, upholsterer.—*Wm. East Holmes*, Lichfield, Staffordshire, coachmaker.—*Jos. R. Nicholls*, Oxford-street, Middlesex, tavern keeper.—*G. M. Horton*, Hatton-garden, Middlesex, jeweller.—*John Grover*, Regent-street, Lambeth, Surrey, stone merchant.—*Henry Pratt*, Worcester, clerk.—*Benj. Barrotte*, North Walsham, Norfolk, innkeeper.—*Thomas Woodfield*, Little Ebury-st., Pimlico, Middlesex, plumber.—*J. Badcock*, East Ilsley, near Newbury, Berkshire, draper.—*Thos. White*, Cornhill, London, chemist.—*G. Cheetham*, Frindsbury, Kent, ship builder.—*Charles Kitto*, Ferdinand-st., Hampstead-road, Middlesex, retailer of beer.—*Peter Thompson* the elder, Osnaburg-place, New-road, and Commercial-road, Limehouse, Middlesex, carpenter.

FIAT ANNULLED.

Thomas Robson, Houghton-le-Spring, Durham, tailor.

SCOTCH SEQUESTRATIONS.

Wm. Miller, Edinburgh, umbrella manufacturer.—*J. Aird* and *Wm. Anderson*, Glasgow, merchants.—*George Gordon*, Muiryfold, Banffshire, insurance broker.—*Bruce* and *M'Donald*, Edinburgh, carvers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Welbourn, Plungar, Leicestershire, cottager, June 2 at half-past 9, County Court of Nottinghamshire, at Bingham.—*T. Hill*, Willoughton, near Spital, Lincolnshire, in no business, June 11 at 9, County Court of Lincolnshire, at Gainsborough.—*Daniel Wootton*, Walmer, Kent, flyman, May 24 at 10, County Court of Kent, at Deal.—*Sam. Limeburner*, Witton-cum-Swambrooks, Cheshire, brewer's traveller, June 4 at 11, County Court of Cheshire, at Northwich.—*C. J. Dillon*, Bishopsgate-street, London, out of business, June 22 at 10, County Court of Norfolk, at Norwich.—*C. Frigot*, Southsea, Portsea, Southampton, teacher of the French language, June 1 at 10, County Court of Hampshire, at Portsmouth.—*Thos. Olding*, Southsea, Portsea, Hampshire, baker, June 1 at 10, County Court of Hampshire, at Portsmouth.—*Wm. Green*, Old Basford, Nottinghamshire, baker, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*Sam. Clark*, Nottingham, horse breaker, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*John L. Heighton*, Eastwood, Nottinghamshire, commission agent, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*Fred. Priestland*, Basford, Nottinghamshire, cast iron moulder, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*Richard Nightingale*, Nottingham, tailor, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*Mary Julian*, West Bridgford, Nottinghamshire, farmer, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*George Knight*, New Lenton, Nottinghamshire, baker, June 7 at 9, County Court of Nottinghamshire, at Nottingham.—*Jos. Earl*, Farnham Royal, Buckinghamshire, carpenter, June 1 at 10, County Court of Berkshire, at Windsor.—*George Wilkinson*, Metheringham, Lincolnshire, tailor, June 4 at 10, County Court of Lincolnshire, at Lincoln.—*Wm. Enderby*, Binbrook, near Market Rasen, Lincolnshire, shoe maker, June 4 at 10, County Court of Lincolnshire, at Lincoln.—*James Neal*, Dover, Kent, victualler, May 25 at 10, County Court of Kent, at Dover.—*James Mills*, Cirencester, Gloucestershire, nail manufacturer, June 7 at 10, County Court of Gloucestershire, at Cirencester.—*Jos. Part*, Maiseyhampton, Gloucestershire, out of business, June 7 at 10, County Court of Gloucestershire, at Cirencester.—*John Middleton*, Milton next Gravesend, Kent, stonemason, June 9 at 10, County Court of Kent, at Gravesend.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 2 at 11, *before the* CHIEF COMMISSIONER.

Robert Attrill, Lamb-st., Spitalfields, Middlesex, chemist.—*Ben. Honey* the elder, Bunhill-row, St. Luke's, Middlesex, superannuated Excise officer.—*Wm. Bremner*, Old Compton-street, Soho, Middlesex, out of business.—*The Hon. A. F. C. M. Capel*, Ebury-street, Pimlico, Middlesex, not in any trade.—*Francis Tress*, Portman-place, Edgware-road, Middlesex, out of business.—*Francis Twigden*, Wakefild-mews, Wakefield-street, Gray's-inn-road, Middlesex, cab proprietor.—*Wm. Hicks*, Poplar-row, New Kent-road, Surrey, cabinet maker.—*James Ward*, Pearson-st., Kingsland-road, Middlesex, shoe manufacturer.

June 2 at 10, *before Mr. Commissioner* PHILLIPS.

J. M. Candelin, Metropolitan-buildings, Old St. Pancras-road, Middlesex, attorney's clerk.—*John Leaver*, Oldham-place, Bagnige-wells-road, Middlesex, mat maker.—*Wm. W. Wigley*, Upper Clapton, Middlesex, clerk to a stock broker.—*Wm. A. Brown*, Fellowes-street North, Hackney-road, and Charles-st., Hackney-road, Middlesex, easy chair maker.—*John Wm. King*, St. Martin's-court, Middlesex, clerk in an insurance office.—*Wm. D. Hoile*, Lansdowne-place, South Lambeth, Surrey, plumber.

June 4 at 10, *before Mr. Commissioner* LAW.

Wm. Hambidge, President-st., City-road, Middlesex, meat salesman.—*A. Grant*, Culford-road North, West Hackney, Middlesex, artist.—*Wm. Moore*, Richmond, Surrey, baker.—*Elizabeth Wheatley*, Blackman-st., Southwark, Surrey, out of business.—*John Bowyer*, Chipping Barnet, Hertfordshire, corn chandler.—*Jas. Shaw*, Uxbridge, Middlesex, butcher.—*George Cooksey*, Hope-place, Bird-st., West-sq., Lambeth, Surrey, sieve maker.

June 4 at 10, *before Mr. Commissioner* PHILLIPS.

Lewis M'Dougall, Gt. Titchfield-st., Marylebone, Middlesex, tobacconist.—*Jesse Carter*, Clayton-street, Kennington-oval, Lambeth, Surrey, bricklayer.—*Robert Munting*, Devonshire-st., Queen's-sq., Bloomsbury, Middlesex, bookseller's shopman.—*Sam. Grottick*, Alfred-terrace, Stepney, Middlesex, hatter.—*Henry North*, Lower Kennington-lane, Surrey, baker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 1 at 11, *before the* CHIEF COMMISSIONER.

Wm. Clark the younger, London-road, St. George's-fields, Surrey, out of employ.—*Fred. W. D. Serle*, St. Mary-axe, Houndsditch, London, bricklayer.—*Wm. H. J. L. Taylor*, Leicester-st., Regent-st., Middlesex, out of business.—*John Collier*, Addison-road, Notting-hill, Middlesex, market gardener.—*Jas. Burnett*, James-st., Covent-garden, Middlesex, cab master.—*Henry Bourchier*, Winchester-pl., Southwark-bridge-road, Surrey, rear admiral in the Royal Navy.—*Thos. Farmer*, Upper Belgrave-terrace, Pimlico, Middlesex, wood merchant.

June 1 at 11, *before Mr. Commissioner* HARRIS.

Lætitia Eliz. Prescott, widow, Burton-street, Eaton-sq., Pimlico, Middlesex.—*Rich. Arscott*, Skinner's-place, Leadenhall-market, London, assistant to an eating-house keeper.—*Albondio Boggia*, Exmouth-st., Spa-fields, Middlesex, bird-cage maker.

June 1 at 10, *before Mr. Commissioner* LAW.

Rich. W. Wall, Lloyd's-court, Crown-st., Soho, Middlesex, dairyman.—*Anthony Bustin*, Stockwell-cottages, Stockwell, Surrey, assistant secretary to a railway company.—*James Wilson*, Alton, Hampshire, tailor.—*S. Anstey*, Newington-causeway, Surrey, out of business.—*John Jack*, Willow-walk, Kentish-town, Middlesex, baker.—*Mark Collins*, Dudley-st., Broad-street, Bloomsbury, Middlesex, hatter.—*Wm. Smith*, High-st., Bow, Middlesex, labourer.

June 1 at 10, *before Mr. Commissioner* PHILLIPS.

H. Aldous, Exeter-st., Lisson-grove, Middlesex, plumber.—*Hen. Collin*, York-row, Kennington-road, Surrey, furrier.—*James Edgcombe*, Old Compton-street, Soho, Middlesex, shoemaker.—*Isaac Harrison*, Eden-cottages, Commercial-

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road, Old Kent-road, Surrey, coal dealer.—*W. Waterhouse*, Denbigh-st., Belgrave-road, Pimlico, Middlesex, carpenter.—*John Turnill*, Denbigh-st., Belgrave-road, Middlesex, carpenter.—*John S. Puddephatt*, Poppin's-court, Fleet-street, London, out of business.—*Lewis Flatow*, Charles-street, Haymarket, Middlesex, surgeon chiropodist.

June 2 *at* 10, *before Mr. Commissioner* LAW.

Wm. Barrett, Charrington-st., Oakley-sq., Somers-town, Middlesex, carpenter.

June 4 *at* 11, *before the* CHIEF COMMISSIONER.

Thos. Sargison, Henry-st., White Horse-lane, Stepney, Middlesex, out of business.

Adjourned.

Thos. W. Plumb, Prospect-place, Back-road, Kingsland, Middlesex, chandler-shop keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Nottinghamshire, at NOTTINGHAM, *June 7.*

Abel Morris, Kimberley, assistant brewer.—*T. Hasland*, Sheffield, table-blade forger.—*John Mason*, Sheffield, sawmaker.

At the County Court of Lincolnshire, at LINCOLN, *June* 4 *at* 10.

John Howard, Gainsborough, hair dresser.—*W. Pearson* the younger, Louth, out of business.—*Joseph Holroyd*, Winterton, near Barton-upon-Humber, assistant druggist.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *June* 2 *at* 10.

Andrew Smith, Saltash, Cornwall, surgeon.

At the County Court of Yorkshire, at SHEFFIELD, *June* 6 *at* 10.

Charles Stones, Sheffield, edgetool forger.

At the County Court of Herefordshire, at HEREFORD, *June* 14.

Alexander Mitchell, Ross, bootmaker.

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The Jurist

No. 646—Vol. XIII. MAY 26, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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LONDON, MAY 26, 1849.

Recently, in one of the courts of common law, on certain demurrers being called on, and the counsel instructed in support of them not appearing, the Judges were urgent upon the counsel for the plaintiffs, to ask for judgment, which those counsel declined to do; on which the cases were struck out of the paper. Of course they *must be* again set down, and again work their way up to the head of the list in their turn, to the great delay, no doubt, of the parties. The learned Judges took occasion to suggest that it would be better for the parties, (which may or may not be the case), and better for the Junior Bar, (which it undoubtedly would be), if, when counsel are instructed in support of demurrers and cannot attend, they were to hand over their briefs to some counsel less harassed with business. Their Lordships also took occasion severely to comment on the practice of counsel accepting more briefs than they can attend to—a somewhat unfair way of stating the case, seeing that counsel do not regulate the period of the sittings nor the length of cases, and have no very accurate means of ascertaining whether they will or will not be able to attend to argue the cases intrusted to them.

We should have thought the Judges, who have all, or almost all, been in their time fully employed barristers, must have known and would have recollected this; but no doubt the warmth of the ermine, and the comfortable repose of the judicial cushion, exercise on the mind that species of influence at once soporific and illuminating, under which it forgets that it once took part in the turmoils of forensic life, and clearly sees that to be iniquity which, while itself dazzled and blinded by the multitude of briefs, it took for every-day and proper practice.

We have before discussed the question of the responsibility of counsel in accepting briefs on which it may be out of their power to attend; and we have shewn that, under the present arrangements of judicial business, and with the present habits of clients, of preferring the uncertain attendance of the most eminent men, to the certain attendance of men of an inferior degree of reputation, the evil is unavoidable. But we do not at all say that the evil ought not to be, or that it may not be, in some manner cured or diminished.

The course adopted by the Judges on the occasion referred to would, if steadily persevered in, have considerable effect; though adopted occasionally, and under the influence of a sort of momentary indignation, it does no good whatever. But if it were the regular course of the Court and of every Court, whenever a cause, or any substantial proceeding, is regularly called on or brought before the Court, to insist upon its being disposed of, or otherwise struck out of the paper, to find its way up again as best it might, there can be no doubt that parties would require their attornies to secure the attendance of counsel, either by retaining more than one counsel, or by retaining counsel not so excessively loaded with business as to be uncertain at any hour of any given day of their whereabouts. This course would not, however, suffice, because nothing can totally destroy the sort of gambling spirit which pervades attornies and their clients, as well as other classes of human beings, exhibiting itself in the particular instance, in preferring the chance of the most eminent counsel to the certainty of the second or third in eminence.

If the evil is of sufficient magnitude to require cure, instead of mere palliation, the source of it must be removed; and that can only be done in one of two ways —either by not having concurrent sittings of two or

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more courts in which the same counsel may practise, or by restricting, *by authority*, the right of counsel to practise in more than one, or, at the very utmost, two courts. Either of these courses appears to us extremely objectionable, and the first absolutely impracticable; for the short reason, that the business of the country requires that all the courts of similar jurisdiction should be kept employed as constantly as possible. It would, therefore, be absurd for the Court of Queen's Bench to stop in order that the Common Pleas may begin, or that four of the Judges of a court should be doing nothing while there was work to be done, in order to allow the fifth to be trying causes at Nisi Prius. The second remedy, viz. to compel counsel to select one or two courts, and not to allow them to be heard in any other, would be a little arbitrary as against the Bar: but of the rights or claims of the Bar no man ever takes account; and if public good were attained by it, the arbitrariness of the proceeding would not prevent its adoption. But the question is, would the public be benefited by it? The result would, of course, be, to some extent, to contract the right of selection by the client of his counsel—a result necessarily injurious, unless it be assumed that every court would attract a Bar of equal ability. At present, the system adopted by leading counsel, of confining themselves to one or two courts, works well, because the choice of the client is left, in effect, free, since, with very few exceptions, the advocacy of particular counsel may be obtained out of the courts in which they habitually practise; while, on the other hand, clients may, in all ordinary cases, be certain of the presence of their leading counsel. If the rule were compulsory, it may be questioned whether the public would not be the first to complain of being driven to select in each court from a particular and numerically small Bar.

We are afraid, on the whole, that only palliations can be compulsorily applied, so long as the public desires perfect freedom of selection; and that the only course from which considerable benefit will result, is that of the Judges uniformly requiring cases to be heard and disposed of, or struck out of the paper.

The Right Hon. Sir Nicolas Conyngham Tindal, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, at Westminster, has appointed (Dec. 24, 1845) Robert Smith, Gent., of Richmond, Surrey, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Surrey, also in and for the county of Middlesex.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of the Common Pleas, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—Frederick William Pouget Cleverton, of Saltash, Cornwall, in and for the county of Cornwall; James Nathaniel Cartwright, of Dunstable, Bedfordshire, in and for the county of Bedford, also in and for the counties of Hertford and Buckingham; Henry Smith, of Richmond, Surrey, in and for the county of Surrey, also in and for the county of Middlesex; John Darlington, of Shipley-hall, near Bradford, Yorkshire, in and for the West Riding of the county of York; Charles Corser, of Wolverhampton, Staffordshire, in and for the county of Stafford.

Review.

A Treatise on the Law and Practice of Injunctions. By Charles Stewart Drewry, Esq., *Barrister at Law.* [*S. Sweet*, 1841.]

A Supplement to the Law and Practice of Injunctions. By Charles Stewart Drewry, Esq., *Barrister at Law. Containing the Cases decided since* 1841. [*S. Sweet*, 1849.]

Notwithstanding the acknowledged excellence of Mr. Eden's Treatise on the Law of Injunctions, Mr. Drewry says truly in his Preface, "It is scarcely necessary to offer any apology for the publication of a new work on a subject which has only been treated by one learned writer, and that more than twenty years ago. The great extension, during the intervening period, of the subjects to which the relief by injunction is applicable, and the consequent addition to the collection of cases, illustrating the law on this head of equity, have appeared to the writer to make it probable that an Essay on the Law and Practice of Injunctions would now be acceptable to the Profession." The manner in which Mr. Drewry has accomplished his undertaking fully justifies his attempt.

Mr. Drewry has divided his subject into three parts: the first, treating of staying proceedings at law and in other courts; the second, of injunctions to stay wrongful acts of a special nature; and the third, of the practice in matters of injunction. Part I is divided into four chapters, treating of—1. Injunctions to stay proceedings at law where the legal title of the defendant in equity is founded originally on some inequitable transaction, or is against public policy; or where, although the legal title of the defendant in equity may not have been originally inequitable, it has been tainted with fraud, actual or constructive, by the subsequent conduct of the party claiming under it. 2. Injunctions to stay proceedings at law where the plaintiff in equity has some equitable right to set up against the plaintiff at law, of which the Court of law cannot, either by reason of want of jurisdiction, or by reason of its forms of proceeding, take cognisance; or where the legal right of the plaintiff at law is coupled with, and abridged by, some equitable liability. 3. Where relief is sought against forfeiture, or penalties incurred by the breach of covenants, or the neglect of other legal liabilities. 4. The jurisdiction in general. The subjects in Part II are—1. Injunctions against waste. 2. Injunctions to restrain infringement of copyright. 3. Injunctions to restrain infringement of patents. 4. Injunctions to restrain the publication of secret inventions, and the use of another's name or designation, and the imitation of trade marks. 5. Injunctions to restrain nuisance. 6. Injunctions in aid of specific performance, and to restrain breach of trust or confidence. 7. Injunctions between partners. 8. Injunctions relating to canal, railway, and other public companies. 9. Injunctions in matters of bankruptcy. 10. Injunctions to remove outstanding terms for years and other legal impediments. 11. Injunctions in interpleader suits. 12. The jurisdiction in general to grant injunctions to stay wrongful acts of a special nature. Part III treats of—1. The mode of obtaining injunctions. 2. Extending the common injunction to stay trial. 3. The effect on injunctions of amendments, and of reviving an injunction. 4. Breach of an injunction, and its consequences. 5. The practice in dissolving injunctions.

Subjects which, like that of injunctions, involve the consideration both of general principles of equity and of special rules of practice, are seldom very happily or adequately expounded in text-books. Either the author has a practical turn, and neglects principle, and

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so produces a guide which is scarcely a guide at all in novel cases, or he has a genius or taste above the petty details of practice, and soars continually in the region of generalities, descanting in strains of pure logic, little to the delight, and less to the edification, of the humble practitioner, who desires a plain rule of thumb for his own guidance, and, in all cases to which that is inapplicable, puts himself under the pilotage of counsel. Mr. Drewry, however, either by keeping a severe curb upon his ardour for speculation, or from possessing an equal taste for the abstract and the useful, has contrived to avoid both errors, and administers theoretical and practical information, alternately or duly combined, with considerable tact and discretion, according to the exigences of the subject in hand.

To the circumstance, that the species of injunction called a *common injunction* is most generally obtained in suits where the object is to stay proceedings at law, "it is probably owing," observes Mr. Drewry, "that the 'common injunction is sometimes distinguished as that 'which is granted to stay proceedings at law. That is 'not, however, the true distinctive character of the com-'mon injunction; for, though the common injunction is 'never applied to stay waste and similar injuries to pro-'perty, the special injunction is frequently applied to 'stay proceedings at law. The true distinction between 'the *common* and the *special injunction* is, that the 'former is obtained when the defendant has made de-'fault, as a common order, or *order of course*, to which 'no opposition can be offered; whereas the latter is al-'ways obtained on merits, and never as an order of 'course." (Introduction, note (*b*)).

The general principle upon which the Court of Chancery interferes has been said to be restrictive, not mandatory. And it has been said, that equity has not jurisdiction to compel, on motion, the performance of a substantive act, such as the removal of a work already executed. But in many cases a similar result can be obtained by framing the order in that form to which the term *mandatory injunctions* has been given. In Mr. Drewry's book and the Supplement, the cases on this important subject, down to the present time, will be found *fully* and satisfactorily stated. This subject was *treated* by Mr. Eden with his usual learning and ability; so well, indeed, that the author of the chapter on Injunctions in Mr. Daniell's Chancery Practice, no doubt feeling that it would be difficult to improve upon it, transferred Mr. Eden's property bodily into his work*, without an acknowledgment of the source whence he took it. He does, indeed, in the reference to the manuscript report of the case of *Worden* v. *Ellers*, which Mr. Eden cited (in his book on Injunctions, p. 199) from Serjeant Hill's manuscripts, subjoin to the reference to Serjeant Hill's manuscripts, "Eden on Injunctions, 199." But this is merely the place where Mr. Eden first cited the case of *Worden* v. *Ellers*, with reference to a different point, and has nothing to do with the subject-matter of the passage, which, with the alteration of a word or two, has been taken from Eden on Injunctions, pp. 330, 331, beginning with the words "There is, indeed, a passage in the manuscript report of the case of *Worden* v. *Ellers*," [which in Eden is, "There is, indeed, a passage in one of the manuscript reports of *Worden* v. *Ellers*"], and ending with the words "removal of a stopgate." We beg leave to enter our solemn protest against this mode of making books. Niebuhr laid down a rule of never even giving a reference which he had not discovered himself, without citing the author who directed him to it. Between Niebuhr and Lord Campbell's notions of the rationale of appropriation morals there are probably many degrees. As, in citing the case of *Worden* v. *Ellers*, the writer above referred to has mentioned Eden as the author who directed him to the manuscript report of the case, it is not improbable that the printing of the passage from Eden, without a proper mark to denote it as a quotation from that learned writer, is an oversight; if so, we trust it will be remedied in the next edition, that a work of such authority may not be added to the already too large list of examples (some of them prerogative instances of successful dishonesty and triumphant meanness) of the invasion of literary property.

The conduct of those who appropriate, without acknowledgment, another man's thoughts and labours, presents the converse case to that of those persons who vend certain pills, which they represent as those of some eminent physician, whose name they give to their pills. We give Mr. Drewry's remarks on a case of this kind, (*Clark* v. *Freeman*, 12 Jur. 149; Mr. Drewry's Supplement, p. 34), where an eminent physician, who was not in the habit of making medicines for sale, filed his bill for an injunction to restrain A. from vending certain pills, which he represented as the plaintiff's, so as to hold out that they were compounded by, and sold on behalf of, the plaintiff. The Court refused an injunction, holding, that the case was defamation, if anything; that equity could not determine whether it was so or not; and that it could not be considered at all made out that the act of the defendant could be any injury to the property of the plaintiff. "The decision," observes Mr. Drewry, "is 'at least singular, and seems founded on an exaggerated 'idea of the impregnability of a high professional re-'putation. That the act of the defendant amounted 'to a fraudulent use of the plaintiff's name cannot be 'doubted; neither can there be much doubt that the 'plaintiff might be injured, in reference to property, by 'such fraudulent act, since it is tolerably clear, that, if 'the public believed the pills were compounded by the 'plaintiff, they would or might be induced to buy the 'pills instead of consulting him." (Supplement, p. 34). But might it not be put on higher ground—that the representation that a physician sold pills in this manner was calculated to injure his character, by placing him in the light of an advertising quack or charlatan?—which, we apprehend, would have a good deal more to do in keeping the public from consulting him, than the cause assigned in the passage quoted.

We have great doubts as to the accuracy of Mr. Drewry's view of the case of *Williams* v. *Williams*, (15 Ves. 419; 12 East, 209). Mr. Drewry says, (p. 160)—

"There is also, now, strong ground for conceiving, 'that where there is tenant in tail after possibility of 'issue extinct in remainder, who has never been tenant 'in tail in possession, such tenant may cut timber, and 'is entitled to it when cut. This point was, in effect, 'decided at law in *Williams* v. *Williams*, (12 East, '209), in which the limitations material to this point 'were to the husband for life, *without impeachment;* 'remainder to trustees to preserve; remainder to the 'wife for life for her jointure; remainder to the sons 'successively, and the heirs male of their bodies; re-'mainder to the daughters in like manner; in default 'of such issue, remainder to the heirs of the bodies of 'the husband and wife. The husband died without 'issue. Lord Eldon doubted whether the wife was 'tenant in tail after possibility of issue extinct, within 'the reasoning of the old cases, in none of which, his 'Lordship said, tenant in tail after possibility was said 'to be dispunishable of waste, where that tenant had 'not been once tenant in tail with the other donee in 'possession. A case was directed to the Court of King's 'Bench, who certified, first, that the wife was unim-'peachable of waste; secondly, that, having cut tim-'ber, she was entitled to the timber as her own pro-

* Vol. 3, pp. 343, 344, 1st edit. In the 2nd edition, the passage remains, only with the interpolation of another case. Vol. 2, pp. 1526, 1527.

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'perty; thirdly, that she became tenant in tail after 'possibility of issue extinct.

"The third answer clearly does not meet the diffi- 'culty suggested by Lord Eldon, who did not doubt, 'that, under such limitations, she would be tenant in 'tail after possibility of issue extinct, in some sense; 'but whether there was not a distinction between a 'tenant in tail in remainder who had, and one who 'never had had, the inheritance in possession. But, al- 'though the point raised by Lord Eldon does not seem 'to have been argued in the Court of King's Bench, '(12 East, 209), yet, as the limitations were before the 'Court, and as, having those limitations before them, 'the judges were of opinion that the wife was unim- 'peachable of waste; it is to be presumed, that, as 'regards liability to waste at least, there is no distinc- 'tion between a person taking under such a limitation, 'and a tenant in tail after possibility, who has been in 'possession."

Now, it is to be observed, that, in this case, the limitation being to the husband for life, without impeachment of waste, remainder to trustees to preserve contingent remainders, remainder to the wife for life, remainder to the first and other sons in tail male, remainder to the first and other daughters, remainder to the heirs of the bodies of the husband and wife, remainder to the right heirs of the husband, upon the death of her husband the wife became seised for life, with an immediate remainder in tail to her and her husband while there was a possibility of issue of the marriage, there being here neither, as in *Lewis Bowles's case*, a vested estate tail, nor, as in the usual form, a remainder to trustees to preserve contingent remainders interposed between the wife's life estate and the remainder in tail. Here, moreover, the remainder in tail in the issue was always in contingency, there having been no issue born. Consequently, during the period when the tenant for life had such immediate remainder in tail, and before the tenancy in tail after possibility of issue extinct arose, a merger of her life estate in such immediate tenancy in tail took place. Therefore, during an interval of some months between her husband's death and the extinction of the possibility of issue by her said husband, she became tenant in tail in possession; and, therefore, this case cannot be considered as deciding that tenant in tail after possibility of issue extinct, who has never been tenant in tail in possession, may cut timber, and is entitled to it when cut*. The above view appears to be supported by the opinion of Mr. Fearne. Under a limitation to the husband for life, remainder to the wife for life, remainder to the heirs of the bodies of the husband and wife, "I apprehend," says Mr. Fearne, (Cont. Rem. 63, 8th edit.), "the husband and wife taking distinct and successive estates for life, the joint limitation to the heirs of their bodies would not have been executed in them in possession, but would have been vested in them jointly as a remainder in tail; that this remainder, surviving to the wife upon the decease of her husband, would have merged her estate for life, so as to make her tenant in tail in possession; but she, having had no issue by her deceased husband, or such issue being then extinct, would thereby have become only tenant in tail after possibility of issue extinct."

The great fault of Mr. Drewry's original book, the deficiency of the index, has been remedied in the Supplement, which contains a new and full index to the original, as well as the new matter; so that it will now be found to be a very useful as well as sound and complete practical book.

* The above reasoning is, in substance, taken from the discussion of the case of *Williams* v. *Williams*, in Mr. Bisset's Treatise on the Law of Estates for Life. (Pp. 22—31).

Court Papers.

EQUITY SITTINGS, TRINITY TERM, 12 Vict. 1849.

Rolls Court.

Before the Right Hon. the Master of the Rolls, *at Westminster.*

Tuesday .... *May*	22	Motions.
Wednesday	23	Petitions in the General Paper.
Thursday	24	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Friday	25	
Saturday	26	
Monday	28	
Tuesday	29	
Wednesday	30	
Thursday	31	Motions.
Friday ..... *June*	1	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	2	
Monday	4	
Tuesday	5	
Wednesday	6	
Thursday	7	Motions.
Friday	8	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	9	
Monday	11	Petitions in the General Paper.
Tuesday	12	Motions.

Short Causes, Consent Causes, and Unopposed Petitions, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

EQUITY CAUSE LISTS, TRINITY TERM, 12 Vict. 1849.

*** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Re-hearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the Lord Chancellor.

Appeals.

Knight *v.* Majoribanks (Ap)
Same *v.* Gibbs (Ap)
Scarf *v.* Soulby (Ap)
Onslow *v.* Wallis (Ap)
Cuddon *v.* Morley (Ap)
Chambre *v.* Siggers (Ap)
M'Intosh *v.* Great Western Railway Company (Ap)
Att.-Gen. *v.* Jones (Cause by order)
Phillipson *v.* Gatty (Ap)
Gatty *v.* Phillipson (Ap)
Staniland *v.* Willott (Ap)
Coward *v.* Coward (Ap)
Cooke *v.* Cholmondeley (Ap)
Same *v.* Vaux (Ap)
Cole *v.* Scott (Ap)
Rackham *v.* Siddall (Ap)
Williams *v.* Powell (Ap)
Same *v.* Davis (Ap)
Price *v.* Powell (Ap)
Monro *v.* Taylor (Ap)
Duncan *v.* Luntley (Ap)
Malcolm *v.* Scott (4 caus., Ap)
Boothby *v.* Boothby (Ap)
Fuller *v.* Benett (Ap)
Watson *v.* Masters (Ap)
Dodson *v.* Powell (Ap)
Hawkins *v.* Jackson (Ap)
Hunter *v.* Daniel (Ap)
Cowell *v.* Watts (Ap)
Watts *v.* Cowell (Ap)
Newman *v.* Hutton (3 causes, Ap)
Andrew *v.* Andrew (Ap)
Marks *v.* Solomons (Ap)
Purchase *v.* Shallis (Ap)
Att.-Gen. *v.* Gibbs (Ap)
Rock *v.* Same (Ap)
Bagshaw *v.* East India Railway (2 Aps)
Same *v.* Same (2 Aps)
Masters *v.* Scales (5 causes, re-hearing)
Loader *v.* Clarke (Ap)
Miller *v.* Priddon (Ap)
Cross *v.* Sprigg (Ap)
Sanderson *v.* Cockermouth & Workington Railway Co. (Ap)
Griggs *v.* Staplee (Ap)
Dawson *v.* Brinckman (Ap)

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Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Brooke *v.* London and Westminster Bank } (D) *To fix a day.*
Same *v.* Same }
Att.-Gen. *v.* Grainger *S O*
Coleman *v.* Fielden
Menlove *v.* Hogg
Same *v.* Trustees of Liverpool Docks } *S O G*
Same *v.* Same *S O G*
Allen *v.* Wilson
Hobson *v.* M'Kenzie
Holl v. Gedge *S O G*
Boyd *v.* Boyd } (Cause, 2 Ptns, part heard) *May* 24
Same *v.* Saunders }
Duke D'Uzes *v.* East India Co.
Foster v. Foster } *S O G*
Same *v.* Greaves }
Cresswell *v.* Bateman (F D, C) *S O G*
Roberts *v.* Evans
Bell *v.* Thornton
Hawkins *v.* Hamerton
Skinner *v.* Skinner (F D, C)
Burleigh *v.* Farratt
Raincock v. Young }
Same *v.* Same }
Jeffery *v.* Jeffery
Watts *v.* Watts
Markeating *v.* Smith
Barnard *v.* Earl of Liverpool
Clayton v. Haynes
Lander v. Weston (E)
Attorney-Gen. *v.* Cother
Hubbard *v.* Evans }
Same *v.* Same }
Countess of Mornington *v.* Earl of Mornington }
Same *v.* Powell }
Barton *v.* Dixon } *May* 30
Same *v.* Stears }
Roberts *v.* Roberts (F D, C) *S O*
Cole *v.* Sewell (F D, C)
Evans *v.* Evans } (E, 2 sets)
Same *v.* Williams }
Evans *v.* Evans } (F D)
Same *v.* Williams }
Gould *v.* Gould
Parsons *v.* Benn
Ogle *v.* Robinson *Sh*
Lord Lyttleton *v.* Jefferies
Pocock *v.* Johnson *Sh*
Pierce *v.* Griffith
Bell *v.* Hoyes *June* 7
Hopkinson *v.* Metaxa } (F D, C)
Same *v.* Same }
Whitmore *v.* Du Buisson *Sh*
Coxon *v.* Coxon *June* 9
Hughes *v.* Pride (F D, C)
Whitehead *v.* Cozens *June* 11
Miller *v.* Huddlestone (F D, C)
Knight *v.* Cox (F D, C)
Shadbolt *v.* Thornton (F D, C)
Hodgkinson *v.* Gilbert (F D, C) *Sh*

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Powell *v.* Hall (D)
Camm *v.* Wright (Pl)
Swann *v.* Woodman (D)
Stanley *v.* Bulkeley
Hughes v. Scarborough *S O*
Powell v. Dodson } (part hd.)
Same *v.* Same } *S O G*
Aflato *v.* Phillips *May* 25
Same *v.* Same *May* 25
James *v.* Gwynne } *S O until*
Same *v.* Evans } *mentioned.*
Same *v.* Harris }
Rudd *v.* Speare }
Rudd *v.* Headly } *May* 23
Rudd *v.* Bones }
Brearcliffe *v.* Doubleday (2 causes)
Briggs *v.* Harmer
Wrigley *v.* Swainson }
Swainson *v.* Wrigley }
Rogers *v.* Price
Evamy *v.* Jones }
Jones *v.* Evamy }
Roberts *v.* Jones
Leach *v.* Baker *May* 29
Holloway *v.* Berkeley *S O G*
The Prince Albert *v.* Strange
Attorney-Gen. *v.* Same
Thorndike *v.* Hunt
Holgate *v.* Wright
Duncan *v.* Ogston } (F D, C, Ptn) *May* 23
Same *v.* Johnson }
May *v.* Grave (6 causes) } (E, F D) *May* 28
Same *v.* Same }
Morgan *v.* Annis }
Same *v.* Parsons }
Robinson *v.* Mostyn *May* 26
Wilkin *v.* Wingate *May* 26
White *v.* Everest *S O*
Hutchison *v.* Teycheuné *May* 30
Lanaghan *v.* Smith } (F D, C) *May* 23
Same *v.* Same }
Smith *v.* Lanaghan }
Heath *v.* Lewis *June* 1
Risk *v.* Starkey *June* 1
Carrington *v.* Pall *June* 2
Bradley *v.* Bycroft (F D, C)
Stutely *v.* Wells (5 causes, F D, C)
Smith *v.* Smith (F D, C)
Evett *v.* Greatwood (F D, C)
Mendis *v.* Brandon *June* 8
Bradshaw *v.* Drake *June* 8
Fowler *v.* Swaffer *June* 9
Steward *v.* Davis (F D, C)
Tarratt *v.* Tarratt (F D, C)
Hall *v.* Wright *Sh*

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Chandler *v.* Corke *June* 12
Nesfield *v.* White
Marshall *v.* Sladden
Lassence *v.* Lescher (Caus.) }
Same *v.* Tierney (F D, C) } *May* 24
Reynell *v.* Sprye }
Same *v.* Same } (pt. heard)
Sprye *v.* Reynell } *May* 22
Same *v.* Same }
Attorney-Gen. *v.* Murdock
Dyer *v.* Sturgis
Dott *v.* Hoyes }
Hoyes *v.* Kindersley } *S O G*
Gillan *v.* Hoyes }
Ward *v.* Swift (F D, C) *S O G*
Marquis of Londonderry *v.* Ovingdon (3 causes)
Marshall *v.* Jewson *May* 24
Osborn *v.* Garrard *May* 25
Challis *v.* Harris *May* 29
Bliss *v.* Brady *May* 29
Coventry *v.* Earl of Lauderdale } (E, F D)
Same *v.* Coventry } *May* 23
Field *v.* Bentley (F D, C)
Howard *v.* Reynardson *June* 4
Mayall *v.* Milne *June* 4
Bensusan *v.* Nehemias } *June* 5
Same *v.* Same }
Sentance *v.* Porter (F D, C)
Casson *v.* Woodcock
Edlin *v.* King }
Same *v.* Stansfield }
Curtis *v.* Fulbrook (2 causes)
Ransford *v.* Griffiths
Hughes *v.* Stable }
Piper *v.* Same } (F D)
Hughes *v.* Savery }
Bond *v.* Harvey (F D)

Rolls Court.

JUDGMENTS RESERVED.

Hooper *v.* Salmon }
Tugwell *v.* Hooper }

PLEAS AND DEMURRERS.

Dean of Ely *v.* Gayford *S O*
Same *v.* Waddelow *S O*
Same *v.* Same *S O*
Same *v.* Bliss *S O*
Same *v.* Shillito *S O*
Same *v.* Hensley *S O*
Lewis *v.* Baldwin (objection for want of parties) *S O until hearing*
Chambers *v.* Howell (Pl)
Chambers *v.* Howell (Pl)
Whitfield *v.* Day (D) *Mich. T.*
Chambers *v.* Howell (Pl)
Groom *v.* Kennard (D)

CAUSES.

Stourton *v.* Jerningham *S O to present petition*
Hemming *v.* Archer } (F D, C,) *S O till Ptn. of Rehearing disposed of*
Hemming *v.* Archer }
Hemming *v.* Archer }
Hemming *v.* Archer }
Raworth *v.* Archer }
Hemming *v.* Archer }
Hemming *v.* Archer } (Re-h., part heard)
Hemming *v.* Archer }
Hemming *v.* Archer }
Raworth *v.* Archer }
Gas Light and Coke Co. *v.* Symonds } (F D, C) *S O till after report on Exceptions*
Symonds *v.* Gas Light and Coke Co. }
Stillman *v.* Gas Light and Coke Co. }
Christy *v.* Courtenay *After T.*
Christy *v.* Courtenay (F D, C) *After Term*
Baynton *v.* Hooper } *S O to amend*
Baynton *v.* Hooper }
Wilson *v.* Eden (F D, C) *S O until case returned from Queen's Bench*
Bennett *v.* Cooper (F D, C) *S O*
Biggs *v.* Naylor *S O*
Hele *v.* Bexley } (E, F D, C) *S O until after trial of action at law*
Hele *v.* Bexley }
Hele *v.* Bexley }
Hele *v.* Bowyer }
Hele *v.* Donovan }
Johnson *v.* Thomas *S O to add parties*
Vallance *v.* Amiot (E) *Mich. T.*
Hargrave *v.* Hargrave (F D, C) *Mich. Term*
Rudge *v.* Winnall (F D, C, Ptn)
Senhouse *v.* Hall (F D, C) *After Term*
Ballenger *v.* Hawes } (F D, C, Ptn) *S O to amend*
Buck *v.* Dennis }
Attorney-Gen. *v.* Cheney
Read *v.* Smith (F D, C) *After Term*
Sturge *v.* Sturge
Hamilton *v.* Hamilton
Pooley *v.* Pooley
Gossett *v.* Vivian }
Gossett *v.* Vivian } (E, F D, C)
Vivian *v.* Vivian }
Attorney-Gen. *v.* Wiggiston Hospital }
Attorney-Gen. *v.* Vaughan }
Home *v.* Sterling } (F D, C)
Home *v.* Sterling }
Hope *v.* Hope } (Equity reserved, Ptn)
Hope *v.* Hope }
Hope *v.* Hope }
Shuff *v.* Holdaway } (F D, C, Ptn)
Shuff *v.* Shuff }
Harrisson *v.* Grimwood } (F D, C)
Harrisson *v.* Fuller }
Harrisson *v.* Newman }
Newman *v.* Harrisson }

NEW CAUSES.

Hunt *v.* Hunt
Baynton *v.* Hooper
Rodick *v.* Gandell }
Rodick *v.* Turner }
Lord Crewe *v.* Robson
Att.-Gen. *v.* Jesus Hospital } (F D, C)
Att.-Gen. *v.* Lyall }
Wadeson *v.* Tetley *Sh*
Edwards *v.* Tuck }
Edwards *v.* Sutton }
Walpole *v.* Boughton
Att.-Gen. *v.* Marquis of Bristol }
Att.-Gen. *v.* Hine }
Att.-Gen. *v.* Aubrey }
Att.-Gen. *v.* Pemberton }
Jewson *v.* Hart
Hardey *v.* Green
Dupper *v.* Glasse (F D, C)
Rudge *v.* Winnall *Sh*

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen Masters Extraordinary in the High Court of Chancery:—John Thompson, of Wooler, Northumberland; John Hepworth, of Birmingham; George Graham White, of Launceston, Cornwall; William Corles, of Worcester; Charles Etherington, of Brompton, Kent.

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London Gazettes.

TUESDAY, May 22.

BANKRUPTS.

WILLIAM GISCARD, Ely, Isle of Ely, Cambridgeshire, clock and watch maker, upholsterer, and silversmith, dealer and chapman, June 1 at 1, and July 3 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Claxton, Ely; Nicholls & Doyle, 48, Bedford-row. — Fiat dated May 17.

STEPHEN DANCY, Brighton, Sussex, builder, dealer and chapman, June 1 at half-past 12, and July 3 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Evershed, Brighton; Sowton, 27, Great James-street, Bedford-row.—Fiat dated May 15.

THOMAS DENNIS, Rochford, Essex, licensed victualler, dealer and chapman, May 30 at half-past 1, and July 3 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Chidley, 1, Guildhall-chambers, Basinghall-st., London.—Fiat dated May 17.

JOHN HUTCHISON, River-terrace North, City-road, Islington, Middlesex, apothecary and surgeon, dealer and chapman, May 28 at 1, and July 9 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Buchanan, 8, Basinghall-st., London.—Fiat dated May 17.

GEORGE PIERSON HUTCHISON, Crawford-st., Marylebone, Middlesex, grocer, June 2 at 2, and July 14 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Hill & Mathews, St. Mary-axe; Tucker & Steavenson, Sun-chambers, Threadneedle-st.—Fiat dated May 18.

JOHN SAULL, Long Buckby, Northamptonshire, licensed victualler, innkeeper, cooper, dealer and chapman, May 31 at half-past 1, and June 28 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Gery & Son, Daventry; Rickards & Walker, Lincoln's-inn-fields. — Fiat dated May 18.

ARTHUR WHITE, Wimborne Minster, Dorsetshire, saddler and harness maker, dealer and chapman, June 5 at 2, and July 6 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Rawlins, Wimborne Minster, Dorsetshire; Cragg & Jeyes, 22, Bedford-row.—Fiat dated May 21.

FREDERICK FLEAR, Farndon, Nottinghamshire, miller, June 8 and July 6 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Tallents & Co., Newark-upon-Trent.—Fiat dated May 7.

ROBERT SCRIVEN, Glastonbury, Somersetshire, tallow-chandler, June 5 and July 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Holman, Glastonbury; Abbot, Bristol; Holme & Co., New-inn.—Fiat dated May 14.

JOSEPH CULVERWELL BROWN, Taunton, Somersetshire, draper and grocer, June 5 and 27 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Lovibond & Carslake, Bridgwater; Soles & Turner, Aldermanbury, London.—Fiat dated May 12.

JOHN EDMONDSON, Warrington, Lancashire, miller, June 4 and 25 at 1, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Leeming & Richardson, Manchester; Mourilyan & Rowsell, 2, Verulam-buildings, Gray's-inn, London.—Fiat dated May 14.

WILSON FORSTER and JOHN DODGSON, Liverpool, merchants, (trading under the firm of Wilson Forster & Co.), June 6 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Robinson, Liverpool; Vincent, Temple, London.—Fiat dated May 8.

Meetings.

Thomas Tullidge, Beaulieu, Hampshire, common brewer, June 12 at 1, Court of Bankruptcy, London, pr. d.—*George Henry Lovegrove*, West Ham Churchyard, Essex, auctioneer, June 2 at 1, Court of Bankruptcy, London, pr. d.—*James Robinson*, Kingston-upon-Hull, scrivener, June 17 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, pr. d.—*William East Holmes* and *Wm. Butcher*, Lichfield, coachbuilders, June 2 at 12, District Court of Bankruptcy, Birmingham, pr. d. and div.—*James Inglish Keighly*, *Finlay Fergusson*, and *Wm. Armstrong*, London, merchants, June 13 at 11, Court of Bankruptcy, London, aud. ac. — *John Charretie*, Trinity-sq., Southwark, Surrey, iron manufacturer, June 13 at 11, Court of Bankruptcy, London, aud. ac.—*Charles Boldero*, *Edward Gale Boldero*, *Sir Henry Lushington*, *Bart.*, and *Henry Boldero*, Cornhill, London, bankers, June 13 at 12, Court of Bankruptcy, London, aud. ac.—*Martin Walther Persent* and *Augustus Wm. Bodecker*, Little St. Helen's, London, merchants, June 13 at 1, Court of Bankruptcy, London, aud. ac.—*Thos. Courtney* and *Geo. Courtney*, Old Jewry, London, clothiers, June 13 at 1, Court of Bankruptcy, London, aud. ac.—*Edw. Lewis Blackman*, Lombard-st., London, tailor, June 13 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Edmunds Curtis*, Newport Pagnel, Buckinghamshire, printer, June 13 at 11, Court of Bankruptcy, London, aud. ac.—*Rich. John Goss*, Sidney-st., Stepney, Middlesex, victualler, June 13 at 11, Court of Bankruptcy, London, aud. ac.—*Rich. Watkins* and *Samuel Watkins*, Manchester, tailors, June 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Ner Gardiner*, Manchester, share broker, June 14 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Thos. Cartwright*, Manchester, toy merchant, June 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Wood*, Leeds, Yorkshire, joiner, June 12 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*Francis Keates*, Waterloo-road, Lambeth, Surrey, draper, June 14 at 11, Court of Bankruptcy, London, div.—*Wm. Tanner* and *John Ward*, Leadenhall-place and Leadenhall-market, London, leather factors, June 14 at half-past 1, Court of Bankruptcy, London, div. sep. est. of *Wm. Tanner*.—*Lewis Celeste Leceme*, Fenchurch-buildings, Fenchurch-st., London, merchant, June 14 at 12, Court of Bankruptcy, London, div.—*John Gamble*, Whitecross-st., St. Luke's, Middlesex, licensed victualler, June 14 at half-past 12, Court of Bankruptcy, London, div.—*Samuel Bayly*, Folkestone, Kent, cheesemonger, June 14 at 2, Court of Bankruptcy, London, div.—*Rich. Knight* and *Alfred Knight* the younger, Budge-row, London, wholesale stationers, June 13 at half-past 12, Court of Bankruptcy, London, div.—*Rich. Brailsford*, Enfield, Middlesex, carman, June 13 at half-past 11, Court of Bankruptcy, London, div.—*Samuel Kershaw*, Charlestown, Glossop, Derbyshire, cotton spinner, June 12 at 12, District Court of Bankruptcy, Manchester, div.—*Wheatley Kirk*, Leeds, Yorkshire, pianoforte manufacturer, June 12 at 1, District Court of Bankruptcy, Leeds, second and fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thos. Nunn, Colchester, Essex, coal merchant, June 14 at half-past 11, Court of Bankruptcy, London.—*Edwin Burt*, Bristol, shoe manufacturer, June 12 at 11, District Court of Bankruptcy, Bristol.—*John Charretie*, Trinity-square, Southwark, Surrey, steel and iron manufacturer, June 13 at 11, Court of Bankruptcy, London.—*Hercules Hailes Dancocks*, Stonehouse, Kempsey, Great Netherton, Gloucestershire, coal dealer, June 14 at 11, District Court of Bankruptcy, Bristol.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 12.

Henry Rowbotham, Brinksway, near Stockport, Cheshire, and Manchester, calico printer.—*Mary Garrad* and *Ebenezer King*, Colchester, Essex, milliners.— *William Hammerton*, Kingston-upon-Hull, tinman.—*James Barber* and *Aaron Barber*, Martock, Somersetshire, ironmongers.—*W. Stothert*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturer.—*Wm. Alfred Elston*, Bugbrook, Northamptonshire, surgeon.—*John Honor Parker*, Castle and Falcon-yard, Aldersgate-st., London, carrier.—*John Baker*, Wollaston, Oldswinford, Worcestershire, victualler.—*John Peterson*, Mount-st., Lambeth, Surrey, shoemaker.

Fiat annulled.

John Cossins, New Church-st., Portman-market, Middlesex, linen draper.

Scotch Sequestration.

James Wilson, Airdrie, coal master.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Slade, Shebbear-town, Devonshire, publican, June 8 at 10, County Court of Devonshire, at Torrington.

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—*Wm. Hyland*, Appledore, Kent, saddler, June 5 at 12, County Court of Kent, at Maidstone.—*Rich. Barker*, Wrockwardine, Shropshire, tailor, June 15 at 10, County Court of Shropshire, at Wellington.— *Charles Smith*, Wellington, Shropshire, butcher, June 15 at 10, County Court of Shropshire, at Wellington.—*Robert Wellock*, Everton, near Liverpool, retail butcher, May 28 at 10, Liverpool District County Court, at Liverpool.—*Jos. Cliffe*, Huddersfield, Yorkshire, ironfounder, June 7 at 10, County Court of Yorkshire, at Huddersfield.—*Aaron Wheeler*, West Bromwich, Staffordshire, clerk, May 26 at 1, County Court of Staffordshire, at Oldbury.—*John Daly*, Carlisle, Cumberland, theatrical manager, June 5 at half-past 9, County Court of Cumberland, at Carlisle.—*Robert Pestell*, Great Yarmouth, Norfolk, carpenter, June 19 at 10, County Court of Norfolk, at Great Yarmouth.—*Thomas Hunt Fifett*, Marnhull, Dorsetshire, yeoman, June 19 at 1, County Court of Dorsetshire, at Shaftesbury.—*Richard North*, Pinchbeck, Lincolnshire, farmer, June 6 at 12, County Court of Lincolnshire, at Spalding.—*Thos. Dewbery*, Loughborough, Leicestershire, farmer, June 11 at 11, County Court of Leicestershire, at Loughborough.—*G. Wallis*, Kingston-upon-Hull, draper, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Edward Northen*, Kingston-upon-Hull, optician, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*T. Baggaley*, Kingston-upon-Hull, fishmonger, June 9 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Edward Steele*, Aston, Warwickshire, hair dresser, May 26 at 1, County Court of Staffordshire, at Oldbury.—*Joseph Hunter*, Spilsby, Lincolnshire, joiner, June 6 at 12, County Court of Lincolnshire, at Spilsby.—*Samuel Turner*, Thorncombe, Devonshire, out of business, June 11 at 10, County Court of Devonshire, at Axminster.—*Wm. Bowyer*, Chardstock, Dorsetshire, blacksmith, June 11 at 10, County Court of Devonshire, at Axminster.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 5 *at* 11, *before Mr. Commissioner* HARRIS.

Michael Carey, Stockwell-green, Stockwell, Surrey, out of business.—*George Bundey*, Great Barlow-street, High-street, Marylebone, carpenter.—*Mary Jane Shaw*, Cowper-st., City-road, Middlesex, milliner.—*Edward Burrow*, White Horse-st., Stepney, Middlesex, out of business.—*John Law*, Fludyer-street, Westminster, Middlesex, out of business.—*Caroline Leverett*, Skinner-st., London, staymaker.

June 5 *at* 10, *before Mr. Commissioner* LAW.

Benj. Williams, Wilmot-place, Camden-town, Middlesex, out of employ.—*Wm. M. D. Willan*, Woolwich, Kent, captain in her Majesty's Royal Artillery.

June 6 *at* 11, *before the* CHIEF COMMISSIONER.

John J. Egleton, Commercial-place, City-road, Middlesex, tailor.—*Edward Scott*, Frederick-place, Mile-end-road, Middlesex, flour dealer.—*Wm. Loveland*, St. John's-wood-terrace, Portland-town, Middlesex, dealer in china.—*A. L. Freeman*, Essex-st., Kingsland-road, Middlesex, out of employ.

June 7 *at* 10, *before Mr. Commissioner* LAW.

Edward Plummer, Mary-street, Old Ford-row, Bow, Middlesex, baker.

June 5 *at* 11, *before Mr. Commissioner* HARRIS.

Adjourned.

Edward Jeffries, Upper North-place, Gray's-inn-lane, Middlesex, superannuated clerk.

Saturday, May 19.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Mitchell, Princes-st., Marlborough-road, Chelsea, Middlesex, bricklayer, No. 60,569 T.; John Todd, assignee.—*Leopold A. V. Rudolphi*, Sunderland, Durham, general merchant, No. 70,723 C.; Thomas Crawford the elder, assignee.—*Wm. Howels*, New Woodstock, Oxfordshire, haberdasher, No. 70,457 C.; Archer Robert Tawney, assignee.—*P. Smith*, Wittlesey, Isle of Ely, Cambridgeshire, wheelwright, No. 70,928 C.; Henry Bennett and Joseph Bishop, assignees.

Saturday, May 19.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons;—

(On their own Petitions).

Fred. Henry Harwood, Bucklersbury, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Edwin Blake*, Great George-st., Bermondsey, Surrey, butcher: in the Queen's Prison.—*James Cooper*, Spencer-st., Clerkenwell, Middlesex, jeweller: in the Debtors Prison for London and Middlesex.—*James M'Fie*, late on board the ship Sarah, of Liverpool, laying in the London Dock-basin, Middlesex, master mariner: in the Debtors Prison for London and Middlesex.—*Wm. Douthwaite*, Bricklayers' Arms-yard, Old Kent-road, Surrey, cabriolet proprietor: in the Debtors Prison for London and Middlesex.—*James Harding*, Mill Meads, Guildford, Surrey, architect: in the Gaol of Horsemonger-lane.—*John Marshall*, Colchester-st., Whitechapel, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—*Charles S. Wills*, Hanover-st., Islington, Middlesex, law writer: in the Debtors Prison for London and Middlesex.—*James Stevens*, Upper Queen's-st., Lower-road, Islington, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*John Woolley*, Philpot-street, Commercial-road East, Middlesex, clerk to a timber dealer: in the Debtors Prison for London and Middlesex.—*Henry Matthews*, Gravesend, Kent, auctioneer: in the Gaol of Horsemonger-lane.—*Richard Killick* the elder, Regent-st., Lambeth, Surrey, in no business: in the Debtors Prison for London and Middlesex.—*David Robert Eden*, Bedford-cottages, Clapham-rise, Clapham, Surrey, shipping and provision agent: in the Gaol of Horsemonger-lane.—*James Frederick Lackersteen*, Ivy-cottage, Kennington-green, Surrey, clerk to the London-dock Company: in the Queen's Prison.—*John Casper Mais*, Charrington-street, Oakley-square, St. Pancras, Middlesex, commission agent: in the Queen's Prison.—*D. James*, Kingsland-road, Shoreditch, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*J. Shaw*, Cowper-street, City-road, Middlesex, messenger to a chronometer maker: in the Debtors Prison for London and Middlesex.—*James Taylor*, City-terrace, City-road, Middlesex, fishmonger: in the Debtors Prison for London and Middlesex.—*George Brodie* the younger, Sampson's-gardens, Great Hermitage-street, Wapping, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*W. Pewnycad*, High-street, Shadwell, Middlesex, grocer: in the Queen's Prison.—*John F. Lang*, King-street, Long-acre, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Abraham Craven*, Leeds, Yorkshire, assistant to a cloth manufacturer: in the Gaol of York.—*Edward Smith*, St. Warburgh, otherwise Hoo, Kent, butcher: in the Gaol of Maidstone.—*John Heywood*, Preston, Lancashire, weaver: in the Gaol of Lancaster.—*Andrew Smith*, Saltash, Cornwall, surgeon in her Majesty's Royal Navy, on half-pay: in the Gaol of St. Thomas Apostle, Devon.—*I. P. Cartwright*, Nantwich, Cheshire, chemist: in the Gaol of Chester.—*Samuel Crew*, Llantarnam, Monmouthshire, labourer: in the Gaol of Monmouth.—*Robt. Thorpe*, Manchester, bookkeeper: in the Gaol of Lancaster.—*Wm. Parker*, Leeds, Yorkshire, coffee-house keeper: in the Gaol of York.—*Thomas Smith*, Cheltenham, Gloucestershire, butcher: in the Gaol of Gloucester.—*John Trinder*, Bisley, Gloucestershire, licensed victualler: in the Gaol of Gloucester.—*Joseph Barth*, Milton next Gravesend, Kent, retired officer in her Majesty's Ordnance Department: in the Gaol of Maidstone.—*Jas. Bonwell*, West Ham, Essex, clerk: in the Gaol of Chelmsford.—*A. W. Bode*, Waltham, Essex, gentleman: in the Gaol of Chelmsford.—*Thos. Bate*, Birmingham, hatter: in the Gaol of Coventry.—*B. Kemp*, Wickham Market, Suffolk, innkeeper: in the Gaol of Ipswich.—*Rojer Roscoe*, Chorley, Lancashire, carder in a cotton factory: in the Gaol of Lancaster.—*Thomas Yates*, Bury, Lancashire, butcher: in the Gaol of Lancaster.—*Thos. Newton*, Blackburn, Lancashire, cotton spinner: in the Gaol of Lancaster.—*John Edsforth*, Blackburn, Lancashire, bookkeeper: in the Gaol of Lancaster.—*Thomas Wm. Pearce*, Gravesend, Kent, out of business: in the Gaol of Maidstone.—*Ann Mackey*, widow, Liverpool, picture-frame manufacturer: in the Gaol of Lancaster.—*John Hornby*, Chorlton-upon-Medlock, Manchester, grocer: in the Gaol of Lancaster.—*A. H.*

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Ring, Strood, Kent, boat builder: in the Gaol of Maidstone. —*John Harrison* the younger, Dover, Kent, tailor: in the Gaol of Dover.—*George Spencer*, Liverpool, cattle dealer: in the Gaol of Lancaster.—*Mark Grimshaw*, Manchester, brass-founder: in the Gaol of Lancaster.—*John Conrad Hafemeier*, Liverpool, provision dealer: in the Gaol of Lancaster.—*Jas. Phythian*, Liverpool, butcher: in the Gaol of Lancaster.—*D. W. Redfern*, Bredbury, near Stockport, Cheshire, retail dealer in ale: in the Gaol of Lancaster.—*Thomas Redfern*, Heaton Norris, Lancashire, licensed victualler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 7 at 10, *before Mr. Commissioner* PHILLIPS.

Benj. Williams, Addle-hill, and Maida-head-yard, Addle-hill, London, cowkeeper.

June 7 at 11, *before Mr. Commissioner* PHILLIPS.

Geo. Edw. Cole, Bird-street, West-square, Southwark, Surrey, out of business.—*James Wynn Barton*, Paradise-row, Clapham-road, Surrey, out of business.—*James Blackman*, White-street, Borough, Southwark, Surrey, licensed victualler. —*Samuel Cox* the younger, Charlotte-street, Caledonia-road, Islington, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northamptonshire, at NORTHAMPTON, *June* 6.

H. M. Pratt, Eye, near Peterborough, in no business.

At the County Court of Kent, at MAIDSTONE, *June* 5 *at* 12.

H. E. Smith, Chatham, chemist.—*Joseph Barth*, Milton next Gravesend, retired officer in her Majesty's Ordnance Department.—*Geo. M'Aleavey*, Greenwich, licensed hawker.—*Edw. Smith*, St. Warburgh, otherwise Hoo, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

John Pollit, Beardwood Fold, near Blackburn, Lancashire, labourer, May 22, at Haydock's, Preston: 3*s.* 9½*d.* in the pound.—*Robt. Pollit*, Beardwood Fold, near Blackburn, Lancashire, sawyer, May 22, at Haydock's, Preston: 3*s.* 9½*d.* in the pound.

FRIDAY, MAY 25.

BANKRUPTS.

HENRY ROGERS, Whitchurch, Southampton, coal merchant, dealer and chapman, June 1 at 2, and July 3 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Philp, 29, Great St. Helen's, Bishopsgate-st., London.—Fiat dated May 21.

EDWIN MILES, Miles-terrace, East Greenwich, Kent, builder, dealer and chapman, June 9 at half-past 11, and July 7 at half-past 12, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Bristow & Tarrant, Bond-ct., Walbrook. —Fiat dated May 15.

DONALD GRANT, late of Southampton-street, Strand, Middlesex, and now of Luton-place, Greenwich, Kent, manufacturer of the patent ventilating gas-light and heating apparatus, dealer and chapman, June 5 at 12, and July 5 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Pollock & Stevenson, Essex-st., Strand.—Fiat dated May 19.

JOHN PHILLIPPS, now of Upper Bullingham, Herefordshire, but late of Hereford, banker, June 6 and July 7 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Messrs. Bodenham, Hereford.—Fiat dated May 12.

SILVESTER SILL, All Saints, Worcestershire, draper, dealer and chapman, June 9 and July 21 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Badham, Bromyard; Motteram & Co., Birmingham. —Fiat dated May 18.

ROBERT WILLIAMS, Liverpool, tailor, June 8 and July 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Thornley, Liverpool; Hopwood & Son, Chancery-lane, London.—Fiat dated May 15.

THOMAS COX, Hanley, Staffordshire, draper, (carrying on business there with Thomas Whiles, under the firm of Cox & Whiles), June 12 and July 10 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Sale & Co., or Motteram & Co., Birmingham,—Fiat dated May 19.

NATHANIEL DERRY MORRIS, Hereford, hop and seed merchant, dealer and chapman, June 12 and July 3 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Fluck, Hereford; Suckling, Birmingham.— Fiat dated May 21.

RICHARD NOTT, Bristol, iron merchant, dealer and chapman, June 7 and July 5 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Stanley & Wasbrough, Bristol; White & Co., Bedford-row, London. —Fiat dated April 19.

JOHN PERRETT and CHARLES GARTON, Bristol, maltsters and brewers, June 8 and July 6 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Crosby, Bristol; Messrs. Jay, Serjeant's-inn.—Fiat dated May 19.

JOHN BEARNE DAVIS, Newton Abbott, Devonshire, ironmonger, dealer and chapman, June 5 at 11, and June 28 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Francis, Newton Abbott; Church, Bedford-row, London.—Fiat dated May 18.

WILLIAM NICHOLSON, Pontefract, Yorkshire, saddler, dealer and chapman, June 7 and July 6 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Girdlestone, Pontefract; Bond & Barwick, Leeds; Gregory & Sons, Clement's-inn, London.—Fiat dated May 22.

JOHN SOWDEN the younger, Ingoldmells, Lincolnshire, farmer, and lately a farmer and victualler, June 6 and 27 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Wilson & Co., Alford, Lincolnshire; Bunney & Wilson, Hull; Armstrong, Staple-inn, London.—Fiat dated May 4.

WILLIAM OAKES, Oldham, Lancashire, clock and watch maker, jeweller, dealer and chapman, June 11 and July 6 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Reece, Birmingham; Cope & Faulkner, Manchester; Sargeant, Essex-court, Temple, London.— Fiat dated May 18.

SARAH STONE, Strangeways, Cheetham, near Manchester, baker and provision dealer, dealer and chapman, June 6 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Heath, Manchester; Jaques & Co., Ely-place, London.—Fiat dated May 19.

THOMAS WILSON and HENRY CORBETT, both now or late of Madras, East Indies, merchants and commission agents, (now or lately trading at Madras aforesaid, and at Manchester and Preston, Lancashire, England, and at other places in England, under the firm of Barrow & Co.), June 13 and July 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Atkinson & Co., Manchester; Abbott, Lincoln's-inn-fields, London.—Fiat dated May 8.

THOMAS FENWICK and ROBERT KIDD, Tynemouth, Northumberland, common brewers, spirit merchants, dealers and chapmen, June 8 at half-past 12, and July 3 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Messrs. Tinley, Tynemouth; Holme & Co., 10, New-inn, London.—Fiat dated May 17.

MEETINGS.

John Roberts the elder, Linfits, near Delph, Saddleworth, Yorkshire, woollen manufacturer, June 5 at 12, District Court of Bankruptcy, Manchester, ch. ass.—*Robert Lodge*, Starbotton, Kettlewell, Yorkshire, miner, July 2 at 11, District Court of Bankruptcy, Leeds, last ex.—*J. Crossfield*, Warton, Lancashire, linen merchant, June 18 at 11, District Court of Bankruptcy, Liverpool, last ex.—*Sam. Bennett*, High-street, Islington, Middlesex, draper, June 15 at 1, Court of Bankruptcy, London, aud. ac.—*F. Thompkins*, Sydney-st., Fulham-road, Middlesex, bill broker, June 15 at half-past 12, Court of Bankruptcy, London, aud. ac.—*James Burnham*, Edgeware-road, Middlesex, silk mercer, June 15 at 1, Court of Bankruptcy, London, aud. ac.—*James Reid*, Edgeware-road, Middlesex, and Bexley-heath, Woolwich, Rochester, Chatham and Maidstone, Kent, draper, June 15 at 11, Court of Bankruptcy, London, aud. ac.—*Alex. C. Handley*, Maldon, Essex,

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draper, June 15 at 11, Court of Bankruptcy, London, and. ac.— *Geo. Perfect* the younger, West Malling, Kent, surgeon, June 18 at 11, Court of Bankruptcy, London, aud. ac.—*A. Brown*, Mount-st., Whitechapel, Middlesex, draper, June 16 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. Smith*, Smith's-buildings, Mansel-st., Whitechapel, Middlesex, spruce merchant, June 16 at 11, Court of Bankruptcy, London, aud. ac.—*John D. Anderson*, Pavement, Moorfields, London, linen draper, June 19 at 2, Court of Bankruptcy, London, aud. ac.—*Henry Dunk*, Brook, Chatham, Kent, timber merchant, June 19 at 2, Court of Bankruptcy, London, aud. ac.—*Jonas Jeys*, Moreton-in-Marsh, Gloucestershire, shoe maker, June 19 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Edward Taylor*, Perthyre-mill, Rockfield, Monmouthshire, miller, June 22 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Chas. Maddox* the elder, Llangwin, Monmouthshire, wood dealer, June 15 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Anthony Gardiner* the younger, Chepstow, Monmouthshire, timber merchant, May 19 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Richard Yates* and *Thos. H. Williams*, Manchester, merchants, June 18 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 19 at 12, div.—*John Collins*, Manchester, common brewer, June 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Edward G. Self*, Dorchester, Dorsetshire, ironmonger, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 20 at 11, div.—*Robert Pattinson*, Exeter, grocer, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Felix O'Hanlon*, St. Thomas the Apostle, Devonshire, linen draper, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*L. G. Groves*, Charlton Marshall, Dorsetshire, horse dealer, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Robert S. Perrott*, Exeter, grocer, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Wm. Cox*, Weymouth, Dorsetshire, lath maker, June 20 at 11, DistrictCourt of Bankruptcy, Exeter, aud. ac.—*C. P. Fox*, Torquay, Devonshire, surgeon, June 20 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*James Johnston*, St. Thomas the Apostle, Devonshire, tea dealer, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.; June 20 at 1, div.—*Philip H. Webber*, *B. J. Webber*, and *H. Webber*, Newton Abbott, Devonshire, ironfounders, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Hen. Adams*, Bridgetown, Berry Pomeroy, Totnes, Devonshire, scrivener, June 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Sarah Wilcke*, Fore-street, Cripplegate, London, milliner, June 15 at half-past 11, Court of Bankruptcy, London, div.—*A. A. Lackersteen* and *W. H. Crake*, Moorgate-st., London, merchants, June 15 at 11, Court of Bankruptcy, London, div. sep. est. of *A. A. Lackersteen*.—*Chas. Boldero*, *Edward G. Boldero*, *Sir Henry Lushington*, *Bart.*, and *Hen. Boldero*, Cornhill, London, bankers, June 15 at 12, Court of Bankruptcy, London, fin. div.—*Thos. Courtney* and *G. Courtney*, Old Jewry, London, clothiers, June 15 at half-past 12, Court of Bankruptcy, London, fin. div.—*M. W. Persent* and *A. W. Bodecker*, Little St. Helens, London, merchants, June 15 at 12, Court of Bankruptcy, London, fin. div.—*William Amos*, Whitstable, Kent, coal merchant, June 15 at half-past 12, Court of Bankruptcy, London, fin. div.—*Fred. Nevill*, Little Love-lane, London, commission agent, June 18 at 1, Court of Bankruptcy, London, div.—*George Kidman*, Long-alley, Worship-st., Middlesex, victualler, June 18 at 2, Court of Bankruptcy, London, div.—*Wm. P. Lauder*, Sloane-street, Chelsea, Middlesex, surgeon, June 16 at 12, Court of Bankruptcy, London, div.—*Thos. Manson*, Lloyd's Coffee-house, Royal Exchange, London, underwriter, June 16 at 12, Court of Bankruptcy, London, div.—*Wm. Buddle*, Irongate-wharf, Paddington, Middlesex, timber merchant, June 19 at 12, Court of Bankruptcy, London, div.—*John Bateman*, Cirencester, Gloucestershire, blacksmith, June 21 at 12, District Court of Bankruptcy, Bristol, div.—*John Lucas*, Cardiff, Glamorganshire, general shopkeeper, June 18 at 11, District Court of Bankruptcy, Bristol, div.—*Lemuel Gulliver Groves*, Charlton Marshall, Dorsetshire, horse and sheep dealer, June 20 at 11, District Court of Bankruptcy, Exeter, div.—*Thomas Cartwright*, Manchester, toy merchant, June 15 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Ner Gardiner*, Manchester, share broker, June 15 at 11, District Court of Bankruptcy, Manchester, first and fin. div.—*R. Watkins* and *S. Watkins*, Manchester, tailors, June 15 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Corrie, Bowling-street, Westminster, Middlesex, engineer, June 15 at half-past 11, Court of Bankruptcy, London.—*Thomas Hills*, Hawkwell, Essex, baker, June 22 at 11, Court of Bankruptcy, London.—*Alex. Prince*, Lincoln's-inn-fields and Russell-square, Middlesex, zincographer, June 16 at 1, Court of Bankruptcy, London.—*Wm. Buddle*, Irongate-wharf, Paddington, Middlesex, timber merchant, June 22 at 11, Court of Bankruptcy, London.—*Henry Dunk*, Chatham, Kent, timber merchant, June 19 at 2, Court of Bankruptcy, London.—*J. J. Cartwright*, Wakefield, Yorkshire, corn merchant, June 18 at 12, District Court of Bankruptcy, Leeds.—*John Owen*, Trefnannay, Myford, Montgomeryshire, farmer, June 18 at 11, District Court of Bankruptcy, Liverpool.—*John Strutt*, Liverpool, silk mercer, June 18 at 11, District Court of Bankruptcy, Liverpool.—*Joseph Aspinall*, Liverpool, stock broker, June 15 at 11, District Court of Bankruptcy, Liverpool.—*Lucy Perrers*, widow, Holsworthy, Devonshire, innkeeper, June 27 at 11, District Court of Bankruptcy, Exeter.—*John Chatterton* the younger, Derby, lead merchant, June 15 at 10, District Court of Bankruptcy, Nottingham.—*Geo. Horton*, Russell's Hall Ironworks, near Dudley, Worcestershire, ironmaster, June 19 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 15.

Thomas Cragg, Blackpool, Layton with Warbreck, Lancashire, grocer.—*Joseph Perriam*, Exeter, porter.—*Jas. Lea*, Gloucester, butcher.—*Henry Newton*, Northfield, Worcestershire, butcher.—*George Baker*, Newport, Monmouthshire, grocer.—*Thos. Thompson*, Manchester, merchant.—*H. M. Wells*, Ramsgate, Kent, baker.—*Thos. Henley*, Birmingham, glass cutter.—*Francis Braithwaite*, Hereford, apothecary.—*Robt. Neal*, Wandsworth-common, Surrey, nurseryman.—*H. Whitfield*, Stafford, builder.—*Robt. Farrall*, Lancaster, flour dealer.—*S. B. Fry*, Bristol, warehouseman.—*Jos. Winder*, Salford, Lancashire, bleacher.—*James Little*, Walcot, Somersetshire, draper.

PARTNERSHIP DISSOLVED.

S. D. Darbishire and *Rich. Simpson* the younger, Manchester, attornies and solicitors, (under the firm of Darbishire & Simpson).

SCOTCH SEQUESTRATIONS.

A. and W. M'Laren, Montrose, innkeepers.—*J. Simson*, Kinross, manufacturer.

DECLARATION OF INSOLVENCY.

George Coles the younger, East Cowes, Isle of Wight, Southampton, coach builder, June 5 at 12, Court of Bankruptcy, London.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Hopwood, Blackburn, Lancashire, lamplighter, June 18 at 11, County Court of Lancashire, at Blackburn.—*Henry Clare*, Leftwich, near Northwich, Cheshire, waterman, June 4 at 11, County Court of Cheshire, at Northwich.—*Walter Baber*, Whitchurch Canonicorum, Dorsetshire, master of the National School, June 22 at 12, County Court of Dorsetshire, at Bridport.—*Wm. White*, Wallis, Fishguard, Pembrokeshire, butcher, June 7 at 10, County Court of Pembrokeshire, at Fishguard.—*James Orpin*, Gloucester, marine store dealer, June 11 at 10, County Court of Gloucestershire, at Gloucester.—*A. O. Carter*, Gloucester, attorney's clerk, June 11 at 10, County Court of Gloucestershire, at Gloucester.—*Robert Holliday*, Blackburn, Lancashire, coal merchant, June 18 at 11, County Court of Lancashire, at Blackburn.—*Thos. Jones*, Cardiff, Glamorganshire, tea dealer, June 20 at 10, County Court of Glamorganshire, at Cardiff.—*C. S. Sweeny*, Studham, Hertfordshire, physician, May 30 at 11, County Court of Bedfordshire, at Luton.—*John Bartram*, Dunstable, Bedfordshire, straw hat manufacturer, May 30 at 11, County Court of Bedfordshire, at Luton.—*John Kent*, St. Alban's, Hertfordshire, grocer, May 31 at half-past 10, County Court of

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Hertfordshire, at St. Alban's.—*Robt. L. Clarke*, St. Alban's, Hertfordshire, surgeon, May 31 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*John Jenkins*, Ashby-de-la-Zouch, Leicestershire, chemist, June 12 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*T. Gibbs*, St. Alban's, Hertfordshire, licensed victualler, May 31 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*T. Dracott*, Whitwick, Leicestershire, out of business, June 12 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*Wm. Watts*, King's Lynn, Norfolk, auctioneer, June 9 at 4, County Court of Norfolk, at King's Lynn.—*Henry Roman*, King's Lynn, Norfolk, cabinet maker, June 9 at 4, County Court of Norfolk, at King's Lynn.—*Wm. Hudson*, Sheffield, Yorkshire, butcher, June 6 at 10, County Court of Yorkshire, at Sheffield.—*Joshua Purdy*, Sheffield, Yorkshire, table knife manufacturer, June 6 at 10, County Court of Yorkshire, at Sheffield.—*Henry Dutton*, Tarvin, Cheshire, joiner, June 11 at 10, County Court of Cheshire, at Chester.—*Thos. Rogers*, Dorchester, Dorsetshire, tailor, June 21 at 12, County Court of Dorsetshire, at Dorchester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 9 *at* 10, *before Mr. Commissioner* PHILLIPS.

Mary Hewes, spinster, North-mews, Henry-street, Gray's-inn-lane, Holborn, Middlesex, out of business.—*James Cock* the elder, Earl-street, Horseferry-road, Westminster, Middlesex, undertaker.—*P. W. Cheveley*, Park-villas, Hammersmith, Middlesex, not in any trade.—*W. H. Smith*, Oak-place, Bridge-road, Battersea, Surrey, attorney at law.

June 9 *at* 10, *before Mr. Commissioner* LAW.

Henry John James, Rathbone-place, Oxford-street, Middlesex, trunk maker.

June 11 *at* 10, *before Mr. Commissioner* PHILLIPS.

James Jones, Bolton-st., Kennington, Surrey, stamper in the Stamp Office, Dublin.—*Wm. Battan Bailey*, St. James's-road, Old Kent-road, Surrey, parchment maker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 8 *at* 11, *before Mr. Commissioner* HARRIS.

John Fleming, Ratcliff-highway, Middlesex, optician.—*Saul Myers*, Ashley-crescent, City-road, Middlesex, leather japanner.—*Thos. Barnet*, Streatham-place, Brixton-hill, Surrey, baker.—*Thos. Hen. Thompson*, Hawley-crescent, Hampstead-road, Middlesex, policeman on the London and North-western Railway.—*John Bridger Palmer*, Drury-lane, Middlesex, licensed victualler.—*John Gardiner*, Union-street, Kennington-cross, Surrey, in no profession.—*Henry Simpson*, Ossulton-street, Somers'-town, Middlesex, cheesemonger's shopman.

Adjourned.

Henry Defries the elder, Duke-st., West Smithfield, London, commission traveller.

June 11 *at* 11, *before the* CHIEF COMMISSIONER.

Jairus James Wilcocks, Paddington, Middlesex, out of business.—*John Edwin Blake*, Great George-st., Bermondsey, Surrey, cowkeeper.—*Jas. Hunter* the younger, Berner's-place, Mile-end-road, Middlesex, auctioneer.—*Chas. Coltson*, Billiter-st., Fenchurch-st., London, flax merchant.—*John Woolley*, Philpot-st., Commercial-road East, Middlesex, clerk to a timber dealer.

June 11 *at* 10, *before Mr. Commissioner* LAW.

James Taylor, City-terrace, City-road, Middlesex, fishmonger.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Joseph Fletcher, Liverpool, colour maker, No. 70,482; W. Musgrave, assignee.—*Jos. Routledge*, Liverpool, licensed victualler, No. 70,985; Wm. Daniels, assignee.—*James Berry*, Bury, woollen manufacturer, No. 70,954; Wm. Berry, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *June* 8 *at* 11.

Edward Preston Alcock, Manchester, licensed victualler.—*Ratcliffe Worthington*, Ashton-under-Lyne, out of business.—*Thos. Forbes*, Hulme, Manchester, plumber.—*George Spencer*, Liverpool, cattle dealer.—*John Heywood*, Preston, weaver.—*Wm. Wilson*, Liverpool, butcher.—*John Banister Tristram*, Manchester, auctioneer.—*Rob. Thorpe*, Manchester, bookkeeper.—*J. Collier*, Manchester, out of business.—*Rich. Roberts*, Liverpool, superannuated officer in the Customs.—*Ann Mackey*, Liverpool, out of business.—*Wm. Bayley*, Salford, out of business.—*Daniel Mills*, Oldham, out of business.—*Elias Flitcroft*, Blackburn, joiner.—*John Kenny*, Everton, near Liverpool, builder.—*Edmund Miller*, Manchester, plasterer.—*Peter Jackson*, Liverpool, bailiff.

At the County Court of Worcestershire, at WORCESTER, *June* 13 *at* 10.

Thomas Walters, Worcester, shoe maker.—*John Hopp*, Mathon, carrier.

At the County Court of Kent, at DOVER, *June* 22 *at* 10.

John Harrison the younger, Dover, tailor.

At the County Court of Gloucestershire, at GLOUCESTER, *June* 11 *at* 10.

William Antill, Gloucester, grocer.—*Thos. Smith*, Cheltenham, butcher.

MEETING.

Thomas Cogan, Kingston, near Taunton, Somersetshire, tanner, June 11 at 12, Marter's, 5, Furnival's-inn, London, sp. aff.

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LONDON, JUNE 2, 1849.

The question of the liability of a witness for not attending on his subpœna, in a case where the party for whom he is subpœnaed has not a good cause of action or ground of defence, was fully discussed in *Cowling v. Coxe*, (*ante*, p. 101). That was an action on the case against a witness for disobeying his subpœna; and the declaration stated, that certain issues were joined in the original suit, that the plaintiff had a good cause of action therein, and that the evidence of the defendant was material to the trial of the said issues. A traverse, that the plaintiff had a good cause of action, was found for the defendant; the other issues, including one to the effect that the defendant's testimony was material, were decided in favour of the plaintiff; and he now moved for a repleader, or judgment non obstante veredicto, as regarded the issue found for the defendant. After time taken for consideration, the Court granted a rule absolute for entering judgment non obstante veredicto, on the ground, that, since the statute of Anne, allowing several pleas, a party, although having no cause of action, may sustain damage, in respect of costs, by the absence of a witness whose testimony is material on any one of the several issues. It was conceded, that, to maintain an action for disobedience to a subpœna, it is essential that the plaintiff should have sustained damage; that, where only one issue was joined, a plaintiff, who had no cause of action, could not, under ordinary circumstances, have sustained damage by the non-attendance of a witness, nor could the evidence be material. This, it was said, was the foundation of many decisions, to the effect, that, in this class of cases, it must have appeared, expressly or by implication, that the plaintiff had a good cause of action.

It was contended in argument, that the plaintiff, having sued orginally without having a good cause, was guilty of a wrong, for which, under the old law, he might be amerced; and, therefore, had no right to sue for a loss occasioned by his own wrong. This argument, however, did not prevail with the Court.

A question of practical importance was also decided in this case, namely, that judgment non obstante veredicto will be awarded where there is an immaterial issue found for the defendant, although the plea involved in it does not admit a cause of action, by way of confession and avoidance, and although, in fact, it be (as it was in this case) a plea by way of traverse, provided the material parts of the pleadings enable the Court to give judgment without requiring the parties to re-plead in order to shew on which side the right is. It is evident that the cause of action may be sufficiently admitted for this purpose, even by the material parts of the declaration being left untraversed; for though "they are not thereby admitted for all purposes and in all events, yet they may be considered as conditionally admitted—that is, admitting the allegations not traversed in case the plaintiff can prove the allegations traversed." (Per Lord Denman, in *Cowling* v. *Coxe*).

This decision is consistent with the judgment in *Pim* v. *Grazebrook*, (2 C. B. 429), in which it was said, that a plaintiff is never entitled to judgment non obstante veredicto, upon the ground of the insufficiency of the defendant's pleadings, unless the plea or rejoinder implies an admission of the plaintiff's title, which a traverse by the defendant does not; but if the traverse be of immaterial allegations in the declaration, such allegations may be considered as struck out of the

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declaration, and, with them, the traverses and the finding thereon, must fall to the ground.

RESTRAINT UPON ALIENATION.

If lands, rent, advowsons, or anything capable of being the subject of inheritance, be conveyed or devised in fee, upon condition that they should not be aliened to any person, this is a void condition, as being repugnant to the gift, and "against trade and traffic, and contracting between man and man." (Co. Litt. 223. a.)

"And so it is if a man be possessed of a lease for years, or of a horse, or of any other chattel, real or personal, and give or sell his whole interest or property therein, upon condition that the donee or vendee shall not alien the same; the condition is void." (Co. Litt. ubi sup.; *Churchill* v. *Marks*, 1 Coll. C. C. 441).

It is the same if a life estate in realty or personalty be limited by will or settlement, with a proviso that it shall determine on alienation; such proviso is repugnant and void. (Roper on Legacies, vol. 1, p. 786; *Lord* v. *Bunn*, 2 You. & C. C. C. 98; *Brandon* v. *Robinson*, 18 Ves. 429; *Graves* v. *Dolphin*, 1 Sim. 66).

However, although the condition not to alien attached to an estate is void, the same end may be attained by a limitation over on the event of alienation; and the legality of this limitation is so thoroughly established, that courts of equity will construe a proviso against alienation, with a gift over on that event, as equivalent to a limitation to one until he alien, and, in that case, a limitation over. (*Doumett* v. *Bedford*, 6 T. R. 602, *cited Hale*, 13 Ves. 404; *Wilkinson* v. *Wilkinson*, 3 Swanst. 515; *Yarnold* v. *Moorhouse*, 1 R. & M. 364; *Lewes* v. *Lewes*, 6 Sim. 304; *Brandon* v. *Aston*, 2 You. & C. C. C. 24; *Kearsly* v. *Woodcock*, 3 Hare, 185). And this construction is made whether the proviso in this form be contained in a will or settlement. (*Lord* v. *Bunn*, 2 You. & C. C. C. 98).

To take one of the preceding cases as an illustration of this latitude of construction. In *Wilkinson* v. *Wilkinson*, (ubi sup.), the limitation was by will, of freehold and leasehold estates, to trustees and their heirs, &c., upon trust, subject to certain annuities, for T. H. W., for life, with remainder over; and the will contained a proviso, that the estate so given was upon the express condition, that, in case T. H. W. should assign, dispose of, or otherwise charge his life estate, so as not to be entitled to the profit, receipt, use, and enjoyment thereof, then and from thenceforth that estate should devolve upon the person next entitled thereto, as mentioned in the will. T. H. W. became bankrupt, and the limitation over, it was decided, took effect upon his bankruptcy. Sir Thomas Plumer, in giving judgment, is reported to say, "With respect to the validity of a proviso, it is clear, that a testator may thus modify the estate he gives; for though, in a case which has been mentioned, (*Brandon* v. *Robinson*, 18 Ves. 429), it is stated, as the opinion of a very great judge, that, if an estate is given for life, the incidents to a life estate cannot be taken away; and though it is better, therefore, when such a limitation is intended to give the estate *until* bankruptcy or alienation, and not first to give it for life, and then to prohibit the attempt to alien; yet this is answered by considering, that, in a will, any condition or modification may be annexed which does not offend against any rule of law; and it is immaterial by what form of words the intention is executed, whether by a devise until the devisee shall have charged or incumbered it, or by a proviso with a limitation over upon such an event. Each mode is equally valid and of the same effect."

In leases for years, a proviso, that the lessor shall re-enter in case of the lessee assigning his estate, has long been held good; and yet this is a simple condition in restraint of alienation, and must be considered a direct exception to the rule. (*Blencowe* v. *Bugby*, 3 Wils. 234; *Hunter* v. *Galliers*, 2 T. R. 133; *Greenaway* v. *Adams*, 12 Ves. 395).

In strict principle, if a condition restraining alienation be void because it is contrary to the policy of the law that alienation, being a natural incident of property, should be entirely forbidden, conditional limitations, to take effect upon alienation, should be void also; for it is obvious, that the effect upon the owner of the property must be the same, whether it reverts to the grantor, or is limited over in case he should break the condition. Either form of limitation must equally deprive the owner of one of the incidents of his property. In other cases, where the event will not support a condition as being contrary to policy, neither will it support a conditional limitation. For example: if the gift be to one of property, with a limitation over in case he should not receive or dispose of it, this is as invalid as though it were a mere condition. (*Ross* v. *Ross*, 1 J. & W. 154; *Green* v. *Harvey*, 1 Hare, 478). Moreover, the objection that creditors are defrauded by a condition which deprives a man, upon bankruptcy or insolvency, of the property which enables him to appear like a man of substance at the time they trusted him, applies with equal force to a conditional limitation. The injury to his creditors is the same whether the debtor's property is or is not limited over on the event of his being bankrupt or insolvent. If limitations over on alienation are allowed to defeat life interest in property, it follows they must equally be lawful to defeat absolute interests in personalty or estates in fee-simple, if confined to the period prescribed by the rule against perpetuities. Accordingly, in *Churchill* v. *Marks*, (ubi sup.), there was a bequest of stock to the children of C. who should be living when the youngest attained twenty-one, as tenants in common equally, no child to sell or part with his share or interest in the money till it should be divided, and, on proof of his having done so, his share was to become the property of the other children. One child became insolvent before the stock was divided, and it was held, that the gift over took effect. In the same case the reporter states, that, "in the course of the argument, an eminent conveyancer, in answer to a question put to him by the Court, stated his opinion that a gift to A. in fee, with a proviso, that, if A. alien in B.'s lifetime, the estate shall shift to B., is valid. Of course, it is intended that this limitation must be by way of use in a deed. This is, no doubt, the necessary consequence of the decisions referred to; but it may be questioned whether judicial authority on the subject is consistent with strict principle.

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On the whole, we must regret that more attention has not been paid to the warning contained in the concluding sentence of the note to Co. Litt. 223. b.:—"The illusory nature of estates and trusts of this description raises a powerful objection to them, on the ground of policy; nor are they, perhaps, quite reconcileable to some of the fundamental principles of our law. Serious consequences, it is presumed, would ensue from their coming into general or even frequent use."

The consequences that have already followed the departure from principle, as we have endeavoured to shew, are not insignificant; and we think that, allowing some few exceptions—as the proviso against anticipation of a married woman's separate estate during coverture, (*Tullett* v. *Armstrong*, 4 My. & C. 405), and a limitation over, for her benefit, of her husband's interest in her settled property, in case he should become bankrupt, (*Lester* v. *Garland*, 1 Mont. 471)—the rule, that property should not, by any device, be deprived of its alienable character, should have been preserved inviolate, as most consistent with the mutual interests and relations of mankind. E. E. K.

London Gazettes.

TUESDAY, May 29.

BANKRUPTS.

WILLIAM LINE, formerly of St. George-road, Mortimer-terrace, Notting-hill, then of Ealing Great Park, and of Pavilion-place, Turnham-green, Middlesex, brickmaker, builder, dealer and chapman, June 5 at half-past 2, and July 6 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Goren, South Molton-street.—Fiat dated May 28.

JOHN PHILLIPPS, now of Upper Bullingham, Herefordshire, but late of Hereford, banker, June 6 and July 7 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Messrs. Bodenham, Hereford; Motteram & Co., Birmingham.—Fiat dated May 12.

JOHN BURNARD, Bideford, Devonshire, painter and glazier, dealer and chapman, June 7 at 1, and July 11 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Pattison & White, Launceston, Cornwall; Stogdon, Exeter; Clowes & Co., King's Bench-walk, Temple, London.—Fiat dated May 18.

EDWARD RAISBECK, Thornhill Lees Iron Works, Dewsbury, Yorkshire, ironmaster, dealer and chapman, June 19 and July 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Bulmer, Leeds.—Fiat dated May 18.

JOHN EASTWOOD, Farnlay Tyas, Almondbury, Yorkshire, manufacturer, dealer and chapman, June 14 and July 13 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. J. and W. Sykes, Milnsbridge; Bond & Barwick, Leeds; Pringle & Co., King's-road, Bedford-row, London.—Fiat dated May 17.

WILLIAM ROBINSON ALLANSON, New Malton, Yorkshire, corn factor, dealer and chapman, June 14 and July 13 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Scholefield, York; Harle & Clarke, Leeds; Lever, Frederick's-place, Old Jewry, London.—Fiat dated May 21.

MARTIN LUTHER PRITCHARD and ROBERT NORRIS DALE, Liverpool, stock and share brokers, dealers and chapmen, (trading in Liverpool under the firm of Pritchard & Dale), June 21 and July 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Littledale & Bardswell, Liverpool; Messrs. Vincent, Temple, London.—Fiat dated May 25.

GARDNER BOGGS, Liverpool, merchant, dealer and chapman, June 18 and July 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Littledale & Bardswell, Liverpool; Vincent, Temple, London.—Fiat dated May 18.

WILLIAM LABREY, Manchester, grocer and tea dealer, dealer and chapman, (trading there under the style or firm of William Labrey, junior, & Co.), June 13 and July 6 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Benson & Blain, Manchester; Sharpe & Co., 41, Bedford-row, London.—Fiat dated May 15.

MEETINGS.

Henry Capel, Cooper's-row, Tower-hill, London, wine merchant, June 9 at 12, Court of Bankruptcy, London, p. d. of *J. Reay*.—*Joseph Forrester*, Whitehaven, Cumberland, mercer, June 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Richard Milner*, Darlington, Durham, timber merchant, June 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Wm. Pitfield*, Tottington Lower End, Lancashire, bleacher, June 8 at 11, District Court of Bankruptcy, Manchester, last ex.—*William Cooper*, *Chas. Wilson*, and *Geo. Black*, Aldermanbury, London, straw hat manufacturers, June 21 at 1, Court of Bankruptcy, London, aud. ac. and div. sep. est. of *Geo. Black*.—*Wm. Springbett* and *Thomas Springbett*, Leadenhall-street, London, and Charlotte-row, Walworth-road, Surrey, wine merchants, June 21 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Clarke*, Aldersgate-street, London, woollen dyer, June 21 at 11, Court of Bankruptcy, London, aud. ac.—*J. W. Robberds*, Norwich, manufacturer, June 20 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Radford*, Stanford-le-Hope, Essex, apothecary, June 20 at 11, Court of Bankruptcy, London, aud. ac.—*M. T. Tibbett*, March, Cambridgeshire, and Farcett, Huntingdonshire, farmer, June 21 at 12, Court of Bankruptcy, London, aud. ac.—*Thos. Richardson*, North Shields, Northumberland, common brewer, June 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. Rewcastle*, Gateshead, Durham, copperas maker, June 21 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Gilmore*, Hawthorn-grove, Durham, whiting manufacturer, June 19 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 21 at 11, div.—*Wm. Ward* and *John Ward*, Leadgate and Iveston, Durham, grocers, June 21 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud ac.—*J. T. Pilley*, Darlington, Durham, linen draper, June 21 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Jas. J. Ferens* and *Robinson Ferens*, Durham, drapers, June 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Clarke* and *Edward Dearden*, Bury, and Radcliffe, Lancashire, grocers, June 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John A. Beaver*, Manchester, cotton spinner, June 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Grosvenor*, Wolverhampton, Staffordshire, beerseller, June 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Francis King*, Northallerton, Yorkshire, innkeeper, June 21 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*J. Armitage*, Linthwaite, Almondbury, Yorkshire, innkeeper, June 21 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*James Reid*, Edgeware-road, Middlesex, and Bexley-heath, Woolwich, Rochester, Chatham, and Maidstone, Kent, draper, June 19 at 11, Court of Bankruptcy, London, div.—*John Richards*, junior, Reading, Berkshire, banker, June 21 at 12, Court of Bankruptcy, London, div.—*E. S. Meyer* and *Thos. G. Brownsmith*, Bedford-street, Covent-garden, Middlesex, fringe manufacturers, June 21 at 11, Court of Bankruptcy, London, fin. div.—*Wm. A. Warwick*, Cambridge, and Chesterton, Cambridgeshire, printer, June 21 at half-past 12, Court of Bankruptcy, London, div.—*Geo. Martin Hutton*, Ringwood, Hampshire, coach proprietor, June 21 at 11, Court of Bankruptcy, London, div.—*Wm. Lee Adams*, Selby, Yorkshire, clock maker, June 19 at 12, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph Hughesdon and *Alexander Mackay*, Chundernagore, East Indies, merchants, June 19 at 11, Court of Bankruptcy, London.—*James Williams*, St. George's-place, Back-road, St. George's East, Middlesex, tailor, June 21 at half-past 11, Court of Bankruptcy, London.—*Richard Higgins*, Watling-st., London, and *Wm. Higgins*, Ludgershall, Wiltshire, drapers, June 20 at half-past 11, Court of Bankruptcy,

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London.—*George Rippon*, West Cornforth, and Thrislington, near West Cornforth, Durham, coal merchant, June 19 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*James Wood*, Leeds, Yorkshire, joiner, June 19 at 1, District Court of Bankruptcy, Leeds.—*Wm. Newby*, Manchester, joiner, June 21 at 12, District Court of Bankruptcy, Manchester.—*Wm. Tomlinson*, Salford, Lancashire, victualler, June 21 at 12, District Court of Bankruptcy, Manchester.—*John Winder* and *Richard Fisher*, Liverpool, merchants, June 21 at 11, District Court of Bankruptcy, Liverpool.—*W. Laird*, Birkenhead, Cheshire, merchant, June 20 at 11, District Court of Bankruptcy, Liverpool.—*Peter Woolley*, Ross, Herefordshire, woollendraper, June 19 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 19.

Elisha Allsop and *David Allsop*, Arlington-place, Back-road, St. George's-in-the-East, Middlesex, builders.—*Alex. Haig*, Smith-street, Jubilee-place, Stepney, and Essex-street, Cambridge-road, Middlesex, engineer.—*John Dacie Jeffery*, Sidmouth, Devonshire, apothecary.—*John Ellison*, Cricklade, Wiltshire, grocer.—*Wm. Miles*, Worcester, share broker.

SCOTCH SEQUESTRATIONS.

James Lyle, Ruchlaw Mains and Ruchlaw Muir, Newbarns and Meiklerig, Haddington, farmer.—*Major Wm. Hunter*, deceased, of her Majesty's 28th Regiment of Foot.—*Richard Shanks*, New Monkland, Lanarkshire, grocer.—*Jas. Napier*, Huntly, vintner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Frankland, Reading, Berkshire, farming bailiff, June 15 at 11, County Court of Berkshire, at Reading.—*G. Sampson*, Wokingham, Berkshire, blacksmith, June 15 at 11, County Court of Berkshire, at Reading.—*Thos. Pritchard*, Hereford, beer retailer, June 14 at 10, County Court of Herefordshire, at Hereford.—*J. Evans*, Hereford, coal merchant, June 14 at 10, County Court of Herefordshire, at Hereford.—*W. Streater*, Handcross Slangham, Sussex, miller, June 21 at 12, County Court of Sussex, at Cuckfield.—*Jas. Orpin*, Gloucester, coal dealer, June 11 at 10, County Court of Gloucestershire, at Gloucester.—*David Williams*, Salford, Lancashire, bookkeeper, June 6 at 12, County Court of Lancashire, at Salford.—*Nathan Nathan*, Birmingham, fancy paper box maker, June 18 at 2, County Court of Warwickshire, at Birmingham.—*James Parkes*, Aston, Warwickshire, plane maker, June 4 at 2, County Court of Warwickshire, at Birmingham.—*Thos. Wright*, Edgbaston, Warwickshire, butcher, June 4 at 2, County Court of Warwickshire, at Birmingham.—*Sam. Wright Richards*, Birmingham, butcher, June 18 at 2, County Court of Warwickshire, at Birmingham.—*Thos. Cox*, Birmingham, glasscutter, June 18 at 2, County Court of Warwickshire, at Birmingham.—*Sam. Shilton*, Birmingham, cabinet maker, June 4 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Knight*, Chittlehampton, Devonshire, machine maker, June 6 at 10, County Court of Devonshire, at Southmolton.—*Henry Skinner Templer*, Bampton, Oxfordshire, clerk, master of the grammar-school, June 22 at 11, County Court of Oxfordshire, at Witney.—*Rich. Pawlyn*, Devonport, coach builder, June 21 at 11, County Court of Devonshire, at Plymouth.—*John Shepherd*, Guisborough, Yorkshire, joiner, July 17 at half-past 9, County Court of Yorkshire, at Stokesley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 12 *at* 11, *before Mr. Commissioner* HARRIS.

George Wilmshurst, Bridport-place, Hoxton, Middlesex, shopman to a brushmaker.—*Rich. Davis*, Scarborough-street, Goodman's-fields, Middlesex, gun manufacturer.—*Henry Brooker* the younger, Woodford-bridge, Essex, butcher.—*D. Wells*, Saffron-hill, Holborn, Middlesex, assistant to a publican.—*John Cummins*, Printing-house-lane, London, wheelwright.—*Rich. Hughes*, Cranmer-place, Waterloo-road, Lambeth, Surrey, professor of music.—*James Killingworth* the younger, Medway-terrace, Maidstone, Kent, wharfinger's clerk.

June 13 *at* 11, *before the* CHIEF COMMISSIONER.

John Basham, Clare-court, Drury-lane, Middlesex, greengrocer.—*James Gregg*, Baker's-row, Coppice-row, Clerkenwell, Middlesex, coal dealer.—*George Taylor*, Millpond-st., Bermondsey, Surrey, baker.—*John Lambert*, Neckinger-st., Bermondsey, Surrey, baker.

Saturday, May 26.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Powell the younger, Coxford, Shirley, near Southampton, Hampshire, builder, No. 60,374 T.; John Arnold, assignee.—*Charles Hastings*, West Smithfield, London, cattle dealer, No. 60,356 T.; Robert Liddelow, assignee.

Saturday, May 26.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard E. M'Kenna, Webb's County-terrace, New Kent-road, Surrey, in no business: in the Gaol of Surrey.—*Henry H. Fox*, Holland-place, Clapham-road, Surrey, upholsterer: in the Gaol of Surrey.—*Ferdinand M. Watkins*, Blackfriars-road, Surrey, teacher of music: in the Queen's Prison.—*Edw. Russell*, Kennington-oval, Surrey, commission agent: in the Queen's Prison.—*Edw. Clark*, Nicholls-sq., Hackney-road, Middlesex, coffee roaster: in the Debtors Prison for London and Middlesex.—*Fred. Pemberton*, South-terrace, Thurloe-square, Brompton, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*John Duskwood*, Holywell-st., Strand, Middlesex, shopman to a clothes salesman: in the Debtors Prison for London and Middlesex.—*Wm. M. Milton*, Brooke-green, Hammersmith, Middlesex, gentleman: in the Queen's Prison.—*Saml. F. B. Needham*, Shacklewell-lane, Hackney, Middlesex, paperhanger: in the Queen's Prison.—*Benj. W. Pearce*, Bayham-terrace, Camden-town, Middlesex, bricklayer: in the Queen's Prison.—*Joseph Burgess*, Charles-pl., Park-road, Peckham New-town, Surrey, oil and colour man: in the Gaol of Surrey.—*Edw. Gregory*, London-st., Fitzroy-sq., Middlesex, carver and gilder: in the Debtors Prison for London and Middlesex.—*Charles Mills*, Seymour-st., Euston-sq., Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Edward Smith*, Canterbury-st., York-road, Lambeth, Surrey, agent: in the Debtors Prison for London and Middlesex.—*Michael Danks*, Whitechapel-road, Middlesex, tripe dresser: in the Debtors Prison for London and Middlesex.—*Pierre A. D. Fauvel*, Park-road, Battersea, Surrey, clerk to a bookseller: in the Gaol of Surrey.—*Joseph O. Robson*, Steward-street, Union-street, Bishopsgate-st., Middlesex, carpenter: in the Queen's Prison.—*James B. Irwin*, Aslop-terrace, Regent's-park, Middlesex, gentleman: in the Queen's Prison.—*Wm. Johnson* the younger, St. Andrew's-road, Newington, Surrey, auctioneer: in the Queen's Prison.—*John Keymer*, Park-pl., Peckham, Surrey, printer: in the Queen's Prison.—*James Barford*, Wilderness-row, Goswell-st., Middlesex, straw hat manufacturer: in the Debtors Prison for London and Middlesex.—*Isaac Cooper*, Manchester, beerseller: in the Gaol of Lancaster.—*Wm. Eccles*, Preston, Lancashire, greengrocer: in the Gaol of Lancaster.—*Elias Flitcroft*, Blackburn, Lancashire, joiner: in the Gaol of Lancaster.—*Edward Gardner*, Lancaster, out of business: in the Gaol of Lancaster.—*James Smethurst*, Hulme, Manchester, farmer: in the Gaol of Lancaster.—*Geo. Watson*, Great Easton, Essex, butcher: in the Gaol of Chelmsford.—*Lewis Cohen*, Newcastle-upon-Tyne, cap manufacturer: in the Gaol of Newcastle-upon-Tyne.—*Solomon Cohen*, Newcastle-upon-Tyne, cap manufacturer: in the Gaol of Newcastle-upon-Tyne.—*Edmund Wallington*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*Thos. Thexton*, Higher Ardwick, Manchester, railway porter: in the Gaol of Lancaster.—*Jas. Blakemore*, Birmingham, crate-maker: in the Gaol of Coventry.—*John Huxham*, Totnes, Devonshire, tallowchandler: in the Gaol of St. Thomas the Apostle.—*Levin Joel*, Newcastle-upon-Tyne, cap merchant: in the Gaol of Newcastle-upon-Tyne.—*Saml. Swaby*, Don-

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caster, Yorkshire, fishmonger: in the Gaol of York.—*Robert Thorne* the elder, Ipswich, Suffolk, maltster: in the Gaol of Ipswich.—*J. Winney* the younger, Monkton, Ocle-Pitchard, Herefordshire, innkeeper: in the Gaol of Hereford.—*Wm. Beond*, Egremont, near Liverpool, debt collector: in the Gaol of Lancaster.—*Wm. Edmonds*, Tregout Farm, Skenfrith, Monmouthshire, farmer: in the Gaol of Monmouth.—*Thos. Clark*, Morley, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Thos. Errington*, Leeds, Yorkshire, cab proprietor: in the Gaol of York.—*John William King*, Kiplin-mill, near Richmond, Yorkshire, corn miller: in the Gaol of York.—*Thos. Jubb*, West Bar-green, Sheffield, Yorkshire, furniture broker: in the Gaol of York.—*H. Godbyhere*, West Bar-green, Sheffield, Yorkshire, silversmith: in the Gaol of York.—*Chas. Labron*, Bishopthorpe, near York, Yorkshire, tobacco manufacturer: in the Gaol of York.—*Wm. Muddle*, East-cliff, Dover, Kent, a pensioner of her Majesty's Board of Customs: in the Gaol of Dover.—*Wm. Hogg*, Chatham, Kent, shipwright in her Majesty's Dockyard, Chatham: in the Gaol of Maidstone.—*Daniel Mills*, Oldham, Lancashire, in no business: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 14 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Shaw, Cowper-st., City-road, Middlesex, messenger to a watchmaker.—*W. Douthwaite*, Bricklayers' Arms-yard, Old Kent-road, Surrey, omnibus proprietor.—*Wm. Taylor*, Queen-sq., Eldon-st., Finsbury, Middlesex, general dealer.—*James Palmer*, Smith-ter., Smith-st., King's-road, Chelsea, Middlesex, carpenter.—*Andrew H. M'Donald*, Mortimer-st., Cavendish-sq., Middlesex, clerk to a ship broker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Somersetshire, at TAUNTON, *June* 13.

Chas. Hooper, Horsington, near Wincanton, master baker.

At the County Court of Herefordshire, at HEREFORD, *June* 14 *at* 10.

John Winney the younger, Monkton, out of business.—*Chas. Hilling*, Hoarwithy, drillman.

At the County Court of Suffolk, at IPSWICH, *June* 14 *at* 10.

Robert Thorne the elder, Ipswich, not following any business.—*Benoni Kemp*, Wickham-market, innkeeper.

At the County Court of Warwickshire, at COVENTRY, *June* 23.

George Gilbert, Birmingham, stamper.—*Geo. P. Garlick*, Coughton, out of business.—*Edw. Fereday*, West Bromwich, Staffordshire, cordwainer.—*Thos. Bate*, Birmingham, hatter.

FRIDAY, JUNE 1.

BANKRUPTS.

EDWARD WOODGATE, Greenwich, Kent, late of Bartlett's-buildings, Holborn, London, electro-plate manufacturer, dealer and chapman, (trading under the style or firm of Watt & Co.), June 8 at 1, and July 13 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. West, 16, Gresham-street.—Fiat dated May 31.

JAMES UPTON, late of Bedford, but now of High-street, Wandsworth, Surrey, corn dealer, dealer and chapman, June 13 at 1, and July 11 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Shearman & Slater, Great Tower-street, London.—Fiat dated May 31.

JOHN BURDETT HAMILTON, Grange-walk, Bermondsey-square, Bermondsey, Surrey, wholesale confectioner, oil and Italian warehouseman, dealer and chapman, June 9 at 1, and July 21 at 11, Court of Bankruptcy, London: Off. Ass. Follett; Sol. Depree, Lawrence-lane, Cheapside.—Fiat dated May 31.

GEORGE INGS, Salisbury, Wiltshire, innholder, now out of business, at present a prisoner for debt in Fisherton Anger Gaol, Wiltshire, June 12 at 1, and July 10 at 12, Court of Bankruptcy, London: Off. Ass. Edwards: Sol. Sawyer, Field-court, Gray's-inn.—Fiat dated May 17.

JAMES STOKES, Dover, Kent, saddler and harness maker, dealer and chapman, June 13 at 1, and July 12 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Thorndyke, Staple-inn.—Fiat dated May 31.

EDWIN HEMING FEREDAY, Bilston, Staffordshire, oil merchant, dealer and chapman, June 13 and July 24 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Brown, Bilston; Smith, Birmingham.—Fiat dated May 26.

GEORGE THORNEY, Wolverhampton, Staffordshire, carrier and victualler, dealer and chapman, June 9 and July 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Phillips, Wolverhampton; Motteram & Co., Birmingham.—Fiat dated May 25.

WILLIAM MITCHELL, Birmingham, draper, dealer and chapman, June 13 and July 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Sutton & Dunn, Birmingham; Motteram & Co., Birmingham.—Fiat dated May 19.

ROBERT ATKINSON, Liverpool, spirit dealer, dealer and chapman, June 19 and July 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Radcliff, Liverpool; Norris & Co., Bedford-row, London—Fiat dated May 24.

THOMAS MARTINSON ADAMS, Holton-le-Beckering, Lincolnshire, corn factor, dealer and chapman, June 13 and July 4 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Mason & Dale, Lincoln; Wells & Smith, Hull; Taylor & Co., Great James-street, London.—Fiat dated May 19.

MEETINGS.

James Reid, Edgeware-road, Middlesex, and Bexley-heath, Woolwich, Rochester, Chatham, and Maidstone, Kent, draper, June 15 at 11, Court of Bankruptcy, London, last ex.—*Geo. Kinnell*, Carshalton, and Bolton-terrace, Edward-street, Walworth, Surrey, spinner, June 25 at half-past 12, Court of Bankruptcy, London, last ex.—*John Redington*, Moreton, Essex, miller, June 23 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*Edward Rossiter* the younger, Torquay, Devonshire, builder, June 26 at 11, District Court of Bankruptcy, Exeter, last ex.—*Wm. Ash*, Henry-st., Hampstead-road, Middlesex, plumber, June 22 at 11, Court of Bankruptcy, London, and. ac.—*Thos. Beadle*, Upper Sydenham, Kent, victualler, June 25 at 11, Court of Bankruptcy, London, and. ac.—*Henry Newson*, Norwich, grocer, June 25 at 12, Court of Bankruptcy, London, and. ac.—*Charles Cushing*, Norwich, carver, June 25 at 11, Court of Bankruptcy, London, and. ac.—*Henry Williams*, Park-place, Kennington-cross, Surrey, ironmonger, June 22 at 11, Court of Bankruptcy, London, and. ac.—*Thos. Drayton*, Regent-st., Oxford-st., Middlesex, glass silverer, June 27 at 11, Court of Bankruptcy, London, and. ac.—*W. Couch* and *J. D. Couch*, Swansea, Glamorganshire, sail makers, June 29 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Jas. C. Shaw*, Bristol, carrier, June 29 at 11, District Court of Bankruptcy, Bristol, and. ac.—*John Watson Burton*, *Geo. Cotman*, and *William Smith*, Manchester, and Leeds, Yorkshire, manufacturers, June 22 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Waples Warden*, Birmingham, corn agent, June 27 at 12, District Court of Bankruptcy, Birmingham, and. ac.; June 28 at 12, fin. div.—*Charles Marsh Adams* and *Charles Warren*, Shrewsbury, and Market Drayton, Shropshire, bankers, July 14 at 12, District Court of Bankruptcy, Birmingham, and. ac. and div.—*John Wm. Watson*, Shrewsbury, Shropshire, scrivener, June 27 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Thos. Stanley*, Dudley, Worcestershire, and Tipton, Staffordshire, printer, June 23 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Henry Kenward*, Moreton-in-Marsh, Gloucestershire, tallor, June 22 at 11, District Court of Bankruptcy, Bristol, and. ac.—*John Holley*, Norton St. Philip, Somersetshire, miller, June 26 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Richard Rogers* and *Wm. Rogers*, Trowbridge, Wiltshire, tallowchandlers, June 22 at 11, District Court of Bankruptcy, Bristol, and. ac.—*John Blackburne*, Liverpool, tailor, June 25 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*James Orme*, Bootle-cum-Linacre, Lancashire, hotelkeeper, June 27 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*James Burnham*, Edgeware-road, Middlesex, silk mercer, June 22 at 1, Court of Bankruptcy, London, div.—*Samuel*

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Bennett, High-st., Islington, Middlesex, draper, June 22 at half-past 1, Court of Bankruptcy, London, div.—*Benj. Edw. Walker*, Upper Fitzroy-st., Fitzroy-sq., Middlesex, publican, June 25 at half-past 11, Court of Bankruptcy, London, div.—*Alex. Haig*, Smith-st., Jubilee-pl., Stepney, and Essex-st., Cambridge-road, Mile-end, Middlesex, engineer, June 23 at 11, Court of Bankruptcy, London, div.—*Henry Williams*, Park-pl., Kennington-cross, Surrey, ironmonger, June 22 at 11, Court of Bankruptcy, London, div.—*Joseph Sarsby*, Rorton, Bedfordshire, farmer, June 23 at 12, Court of Bankruptcy, London, div.—*John Goble* and *Geo. Goble*, Kentish-buildings, Southwark, Surrey, hop factors, June 23 at 12, Court of Bankruptcy, London, div.—*Henry Lark* and *Jos. Woodhead*, Essex-st., Strand, Middlesex, navy agents, June 28 at 11, Court of Bankruptcy, London, div.—*James Laby* and *T. J. Laby*, Barking, Essex, coal merchants, June 22 at 12, Court of Bankruptcy, London, div. sep. est. of *James Laby*.—*Jos. Stevens* the younger, Coalbournbrook, Oldswinford, Staffordshire, glass manufacturer, July 10 at 10, District Court of Bankruptcy, Birmingham, sud. ac. and div.—*Wm. Baldock*, Nottingham, grocer, June 29 at 10, District Court of Bankruptcy, Nottingham, fin. div.—*John A. Beaver*, Manchester, cotton spinner, June 22 at 12, District Court of Bankruptcy, Manchester, fin. div.—*John W. Burton*, *George Cotman*, and *Wm. Smith*, Manchester and Leeds, Yorkshire, manufacturers, June 23 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Isaac Williams*, Merthyr Tydvil, Glamorganshire, grocer, July 2 at 11, District Court of Bankruptcy, Bristol, div.—*Francis King*, Northallerton, Yorkshire, innkeeper, June 22 at 11, District Court of Bankruptcy, Leeds, div.—*John Walker* and *Wm. Walker*, Birkenhead, Cheshire, joiners, June 22 at 11, District Court of Bankruptcy, Liverpool, div.—*John Blackburne*, Liverpool, tailor, June 26 at 12, District Court of Bankruptcy, Liverpool, div.—*W. Potter*, Birkenhead, Cheshire, and Liverpool, merchant, June 27 at 11, District Court of Bankruptcy, Liverpool, div.—*James J. Fawns* and *Robinson Fawns*, Dunham, drapers, July 2 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, div. sep. est. of *Jas. J. Fawns*.—*W. Ward* and *John Ward*, Leadgate and Iveston, Dunham, grocers, July 2 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*John Newcastle*, Gateshead, Durham, coppersmith, July 2 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Alfred Moss, Cambridge, grocer, June 22 at 1, Court of Bankruptcy, London.—*Jacob Fiehler*, Devonshire-street, Bishopsgate-st., London, tailor, June 25 at 1, Court of Bankruptcy, London.—*Wm. Fortescue*, Artillery-pl., Woolwich, Kent, baker, June 22 at 12, Court of Bankruptcy, London.—*Charles Fred. Burton*, North Audley-street, Grosvenor-sq., Middlesex, auctioneer, June 22 at 12, Court of Bankruptcy, London.—*Richard Lamprell*, Pratt-street, Camden-town, Middlesex, builder, June 26 at 12, Court of Bankruptcy, London.—*John Adams*, Staplemead, Laverton, Somersetshire, fuller, June 28 at 12, District Court of Bankruptcy, Bristol.—*Henry Gore*, Cheltenham, Gloucestershire, plumber, June 25 at 12, District Court of Bankruptcy, Bristol.—*Robert Mansell*, Newent, Gloucestershire, timber dealer, July 10 at 11, District Court of Bankruptcy, Bristol.—*Rich. Williams*, Bristol, undertaker, June 22 at 11, District Court of Bankruptcy, Bristol.—*Henry Smith* and *John Smith*, Sheffield, Yorkshire, common brewers, June 23 at 10, District Court of Bankruptcy, Sheffield.—*Edward Pass*, Sheffield, Yorkshire, butcher, June 23 at 10, District Court of Bankruptcy, Sheffield.—*George Crooker*, Sheffield, Yorkshire, bookseller, June 23 at 10, District Court of Bankruptcy, Sheffield.—*Thomas Watson*, Torquay, Devonshire, innkeeper, June 26 at 11, District Court of Bankruptcy, Exeter.—*Richard Branwell*, Holsworthy, Devonshire, attorney, June 26 at 11, District Court of Bankruptcy, Exeter.—*James Dobbs*, Withington, Herefordshire, timber merchant, June 26 at 10, District Court of Bankruptcy, Birmingham.—*George Cowell*, Birmingham, news agent, June 26 at 10, District Court of Bankruptcy, Birmingham.—*John Grosvenor*, Wolverhampton, Staffordshire, beerseller, June 27 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shown to the contrary on or before June 22.

Thos. B. Jones, Brecon, maltster:—*A. Woolf*, Crooked-lane, London, wine merchant:—*W. A. Warwick*, Cambridge, and Chesterton, Cambridgeshire, printer.—*Rice Williams*, Pwllheli, Carnarvonshire, linen draper.—*Wm. Lee Adams*, Selby, Yorkshire, watchmaker.—*Wm. Pithey*, Philpot-lane, Fenchurch-street, London, merchant:—*John Tily*, Cheltenham, Gloucestershire, chemist.—*Thomas Gillett*, Cutler-lane, Cheapside, London, warehouseman.

PARTNERSHIP DISSOLVED.

George Salter and *John Jones*, Ellesmere, Shropshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Wm. Richmond, Kilmarnock, spirit dealer.—*Wm. Burns*, Edinburgh, tailor.—*Henry Wm. Cochran*, Falkirk, hardware dealer, and Donovan, bleacher.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. West, Calverton Lower Wheal, Buckinghamshire, sculptor, June 27 at 11, County Court of Buckinghamshire, at Buckingham.—*Chas. W. Buckingham*, Ipswich, Suffolk, upholsterer, June 14 at 10, County Court of Norfolk, at Ipswich.—*James Scott*, Liverpool, saw maker, June 15 at 1, County Court of Lancashire, at Manchester.—*John Warren*, Hulme, Manchester, out of business, June 15 at 1, County Court of Lancashire, at Manchester.—*John Varley*, Norwich, cabinet maker, June 22 at 10, County Court of Norfolk, at Norwich.—*Richard Badham*, Bromyard, Herefordshire, attorney at law, June 22 at 10, County Court of Herefordshire, at Bromyard.—*Isaac Cansfield*, Bradford, Yorkshire, shopkeeper, June 23 at 11, County Court of Yorkshire, at Bradford.—*W. Winn*, Bradford, Yorkshire, tailor, June 23 at 11, County Court of Yorkshire, at Bradford.—*J. Smithbank*, Pudsey, Yorkshire, cloth manufacturer, June 23 at 11, County Court of Yorkshire, at Bradford.—*J. M'Namara*, Bideford, Devonshire, master mariner, June 7 at 10, County Court of Devonshire, at Bideford.—*Robt. Hills*, Meopham, Kent, fruiterer, June 9 at 10, County Court of Kent, at Gravesend.—*M. Lister*, Leeds, Yorkshire, bookkeeper, June 13 at 10, County Court of Yorkshire, at Leeds.—*Maria Pook*, widow, Gillingham, Kent, June 7 at 10, County Court of Kent, at Rochester.—*James Hawkesworth*, Manchester, painter, June 15 at 1, County Court of Lancashire, at Manchester.—*Thos. Gibbs*, Stratford-upon-Avon, Warwickshire, licensed victualler, June 21 at 9, County Court of Warwickshire, at Stratford-upon-Avon.—*James M'Dougall*, Longsight, near Manchester, woollen cloth dealer, June 15 at 1, County Court of Lancashire, at Manchester.—*Joshua Hall*, Milnesbridge, Almondbury, Yorkshire, innkeeper, June 21 at 10, County Court of Yorkshire, at Huddersfield.—*John William Elton*, Weston-super-Mare, Somersetshire, attorney at law, June 14 at 9, County Court of Somersetshire, at Weston-super-Mare.—*Daniel Mayo*, Rochdale, Lancashire, bookkeeper, June 21 at 12, County Court of Lancashire, at Rochdale.—*William Daunton*, Burnham, Somersetshire, painter, June 14 at 1, County Court of Somersetshire, at Axbridge.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-House, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 16 *at* 10, *before Mr. Commissioner* PHILLIPS.

Charles Reynolds, William-street, Devonport-street, Commercial-road East, Middlesex, bricklayer.—*G. H. Cowney*, Great George-street, Bermondsey, Surrey, baker.

June 18 *at* 10, *before Mr. Commissioner* PHILLIPS.

James Munns, Upper York-place, St. John's-wood, Marylebone, Middlesex, chandler-shop keeper.—*P. P. Cutler*, Coburg-place, Old Kent-road, Surrey, master in her Majesty's Navy.

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The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 15 *at* 11, *before Mr. Commissioner* HARRIS.

John Ainslie, Sydenham, Kent, draining engineer.—*Daniel James*, Barnet-street, Bethnal-green, Middlesex, baker.—*W. Laing*, Hercules-buildings, Westminster-road, Surrey, out of business.—*John Fred. Lang*, King-street, Long-acre, Middlesex, baker.—*James Cooper*, Percival-street, Clerkenwell, Middlesex, jeweller.

June 18 *at* 11, *before the* CHIEF COMMISSIONER.

T. H. H. Bingley, Holborn-hill, London, in no business.—*Wm. Kirkby*, Great Ealing, Middlesex, cattle dealer.—*G. Brodie* the younger, Sampson's-gardens, Great Hermitage-street, Wapping, Middlesex, undertaker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at the CASTLE *of* EXETER, *June* 16 *at* 10.

John Huxham, Totnes, tallow chandler.

At the County Court of Glamorganshire, at CARDIFF, *June* 20.

Abraham Evans, Merthyr Tydfil, licensed victualler.—*S. Jones*, Merthyr Tydfil, grocer.—*Wm. Williams*, Merthyr Tydfil, licensed victualler.

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MASTER IN CHANCERY.—The Lord Chancellor has appointed James Watkins, Gent., of Bolton-le-Moors, Lancashire, to be a Master Extraordinary in the High Court of Chancery.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed William Adams, Gent., of Tenbury, Worcestershire, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Worcester.

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LONDON, JUNE 9, 1849.

There can be no doubt, firstly, that expectancies or possibilities may be effectually dealt with in equity, provided there is a *proper* consideration; secondly, that they cannot be the subject of purely *voluntary* assignment. The only difficulty is, to ascertain what is such a consideration as will support an equitable assignment of a possibility.

The cases of *Harwood* v. *Tooke* (2 Sim. 192) and *Wetherhed* v. *Wetherhed* (2 Sim. 183) shew, that where each of several persons has a mere possibility, such as his expectation of gift or inheritance, an agreement between such persons to share in equal proportions whatever they may receive, will be supported in equity, not only when the arrangement is a family arrangement, but even when some of the parties are strangers in blood to the party from whom they have expectations. For the decision in *Harwood* v. *Tooke*, which was Lord Eldon's, no reason is given. In *Wetherhed* v. *Wetherhed* neither the arguments nor the judgment turn, in terms, upon the question of the consideration being valuable. The argument against the validity of the contract was principally based upon its being an underhand agreement to defeat parental authority; and to that point the judgment would seem to address itself; for the Vice-Chancellor says, "It is quite clear, that, if a testator meant that his devisee should have the personal enjoyment of his bounty, he might so devise as to stint the enjoyment of the devisee, and restrain him from aliening the subject of his gift; but that, if the testator did not so devise, it must be intended that he meant that his devisee should not be so stinted, but should have the full enjoyment of the property, and that it should be liable to all his antecedent debts, and all his antecedent contracts; and, therefore, that, where there was a general devise, it gave the devisee the property, liable to be incumbered in any way that the devisee might think proper, either before or after he took it."

It must, however, be concluded, from the language of the judgment, referring to debts, contracts, and incumbrances, that the Court considered the mutuality of the agreement as making it a contract, on both sides, for valuable consideration, so as to constitute the agreement of each an incumbrance upon his share.

Two recent cases (*Meek* v. *Kettlewell*, 1 Phil. 342; and *Ward* v. *Audland*, 8 Beav. 201) have quite settled that an imperfect gift (and a merely voluntary assignment of a *possibility* is an imperfect gift) will not be perfected in equity. In *Ward* v. *Audland* there had been an assignment of a policy of insurance, a mortgage, and some household furniture, to a trustee, in trust for the settlor's nieces. On the death of the settlor the trustee insisted on his right to have the mortgage-debt, and the money secured by the policy, and the furniture. The executors refused to give them up; and the bill was filed to have the settlement carried into effect. The Court refused the relief prayed, on the ground, that if the assignment was complete, so as to vest any legal title in the plaintiff, he must proceed at law. If it was not, equity would not enforce an imperfect assignment in favour of volunteers. The Court, therefore, treated nieces as mere volunteers. In *Meek* v. *Kettlewell* the case was a settlement without valuable consideration, by the defendant, on the plaintiff, who was a stranger to her, of her interest, as next of kin to her daughter, in a certain sum, in case her daughter died without issue; and it was held, that the assignment could not be enforced. The language used by the Lord

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Chancellor might lead to the supposition that his Lordship meant to say, that none but a *valuable* consideration, as distinguished from a *good or meritorious* consideration, will suffice to support an assignment of a possibility. But we conceive his Lordship did not mean to overrule those cases in which a good or meritorious consideration has supported an equitable assignment, but only to lay down, that a purely voluntary assignment of an expectancy cannot be enforced.

The question, whether a *meritorious* consideration is sufficient to support an imperfect gift or an assignment of an expectancy, appears to be the subject of conflicting decision. The question came before Sir E. Sugden, L. C., in *Ellis* v. *Nimmo*, (L. & G. 333), and that learned judge held, that an agreement by a father, entered into after his daughter's marriage, to make a provision for her, would be carried into effect in equity. In his judgment he refers to several cases in which the Court had intimated, that a contract entered into upon a meritorious consideration, meaning thereby a contract in favour of a wife or child, would be enforced. (*Colman* v. *Sarrel*, 1 Ves. jun. 50; *Pulvertoft* v. *Pulvertoft*, 18 Ves. 84). Singularly enough, the case of *Wright* v. *Wright*, (1 Ves. sen. 409), in which the point had arisen of an assignment of a possibility being enforced in equity, was not referred to in *Ellis* v. *Nimmo;* neither was it noticed in *Holloway* v. *Headington*, (8 Sim. 324), which will be presently referred to.

In *Wright* v. *Wright* there was a devise to the testator's two daughters: if either of them should die unmarried, his son Robert, or his heirs, should take, on paying 500*l.* to the other daughter. The son Robert, in the lifetime of his sisters, conveyed his interest to his younger son, in consideration of natural love. After the death of one of the daughters, the eldest son and heir of Robert filed his bill to have the estate, on payment of 500*l.* to the other daughter; and it was held that he was bound by his conveyance. The Lord Chancellor said the interest of Robert was a possibility which, at law, could not be granted or devised, and compared the case to that of a chose in action, which, though not assignable at law, may be assigned in equity for *valuable consideration*. And then he continued—"I agree, that, for some purposes, the present consideration is not so strong as that for money. If the question came to be between the child so advanced in love &c. and a creditor bonâ fide, the equity of the creditor will be superior to that of the child; but, as against any claiming voluntarily from the father, as executor, administrator, or heir-at-law, it is a consideration, and only made so in the second degree, where the question is with a creditor who is a purchaser." The decision seems, therefore, entirely based on the consideration of love and affection between father and child being sufficient to support in equity an assignment, which the Court admits would be, if purely voluntary, an imperfect gift, incapable of being perfected in equity.

Dillon v. *Coppin*, (4 My. & Cr. 645), which it was contended, in *Withy* v. *Mangles*, (10 Cl. & Fin. 215), overrules *Ellis* v. *Nimmo*, was a case of a totally different kind, having, as it seems to us, nothing to do with the doctrine of *Ellis* v. *Nimmo*. *Dillon* v. *Coppin* was the case of a deed-poll by a father in favour of his daughter, professing to assign certain property, viz. East India stock, which was incapable of passing by assignment. It was kept by the father during his life in his own possession, and the daughter never knew of its existence. The case was expressly decided on the authority of *Antrobus* v. *Smith*, (12 Ves. 39), and it is impossible not to see that a principal ingredient in the decision was the retention of the deed by the father. The Lord Chancellor expressly distinguished the case from one of contract. "Here," he said, "is no contract, but a deed-poll, professing to assign property incapable of passing by such assignment."

The case of *Holloway* v. *Headington* (8 Sim. 324) does not overrule, or affect to overrule, the case of *Ellis* v. *Nimmo*. In that case, the settlement made after marriage by husband and wife was in favour of the wife for life, remainder to the husband for life, remainder to the children of the wife living at her death, *to* be begotten by her then present or any future husband. As regarded the wife's interest, therefore—and the bill was by her to have the trusts carried into execution—the settlement was purely voluntary, the love and affection for a wife clearly not constituting even a meritorious consideration. The children of the wife by any other marriage were also clearly mere volunteers, being strangers in blood to the husband, the real settlor; and the only parties on whose behalf a meritorious consideration could be set up were the children, who were contingently interested only, and who, whether they could or not have sued, did not sue. Framed, therefore, as the suit was, the bill could only be dismissed. What the Court said was, that *Ellis* v. *Nimmo* was not binding, because the grounds on which Sir E. Sugden had decided it were disapproved by his successor, although the decree was affirmed. And then the Vice-Chancellor goes on to say, that *Ellis* v. *Nimmo* was wholly unlike the case before him, and to point out in what the two cases differed. So that the authority of *Ellis* v. *Nimmo*, whatever it may be, is not touched by the decision in *Holloway* v. *Headington*.

If, then, *Ellis* v. *Nimmo* is not overruled by either *Dillon* v. *Coppin*, *Holloway* v. *Headington*, or *Meat* v. *Kettlewell*, there is still reason to consider it as by no means clear, having regard to the case of *Wright* v. *Wright* above cited, that a contract to assign a possibility, or any other contract resting in fieri, will not be executed, in equity, in favour of a child, or, perhaps, a brother or sister.

The Metropolitan and Provincial Law Association is a very curious association; if conducted with vigour, according to its proposed plan, it will produce very important effects in the position of Attornies and Solicitors, including probably many neither intended nor foreseen by its promoters. We may very shortly state its main objects, by saying that they are to organise the members of the junior branch of the Profession into a compact body, for protecting their own interests, for raising the status of their profession, and for urging in particular on the public, their claim to share with the Bar a considerable portion of the privileges hitherto enjoyed by the Bar. These may or may not be proper objects, and beneficial to the public; but they are the objects, as avowed with tolerable clearness by the Metropoli-

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and Provincial Law Association. Hear the Second Annual Report of the Society *:—

"Upon every ground, therefore, of public utility, as well as of professional advantage, to enable Attornies and Solicitors to vindicate their claims to a high and honourable standing in the community, and to defend themselves from dangers both from within and without their own body, the committee deem it essential that the Profession should, by uniting, obtain a common as well as an individual opinion and voice. Ought they, then, to be discouraged at the comparatively little success which has attended previous efforts? The committee think not, and for the following reasons:—No effort has been previously made which was really calculated to meet the wants of the Profession. The various provincial societies have effected, and are effecting, much good; but without some central union they are only calculated to produce a partial effect. United in operation, as they are becoming at present, with the metropolitan office, they gain an increased power to effect their local objects, while, at the same time, they become valuable auxiliaries in promoting any action of the whole Profession. With a view to the interests of the Profession throughout the kingdom, there is the same reason for the various provincial societies uniting together, in order to possess an organisation giving them the means of a common action, as there is for the individual Solicitors of any locality doing so for the same purpose. The Incorporated Society, which, until the establishment of the Metropolitan and Provincial Association, was the only body drawing its members from the whole Profession, has also effected much good, and forms a valuable means of preserving and enforcing those privileges which yet remain in their possession, as well as of exercising a wise supervision over the scattered members of the Profession, and over the candidates for admission into its ranks; but it is not by itself, and, from its constitution, probably can never be, sufficient to meet the wants of the Profession: and some of its most valuable characteristics are precisely those which prove the necessity which exists for another association, zealously co-operating with the Incorporated Society, wherever that is possible; but, at the same time, more unfettered in its action, and more capable of modification to meet the views of its members. A chartered and privileged body can never be the means of agitating the various questions which it is important for Solicitors to see raised at the present time; besides which, the Incorporated Society must always be too expensive, and too predominantly metropolitan in its character and government, fairly and satisfactorily to represent a body so scattered as the Attornies and Solicitors of England and Wales.

"Again, at no former period has the necessity for union been so manifest. The whole course of recent legislation—the steps which have been successfully made by the Bar to gain an exclusive monopoly of the Inns of Court, giving them a power, in many points, uncontrolled even by the Legislature of the country—the tone and mode of operation of the whole of society, pointing everywhere to the ever-increasing action of companies and associations for obtaining any valuable end—all proclaim that henceforth those who have a common interest must follow the example thus set, and make common cause with each other, or submit to see themselves neglected or oppressed. In the case of Solicitors, their peculiar functions necessarily bring them into immediate contact with the most active powers of the kingdom—the Legislature and the Bar. It is not neglect, which might be comparatively a blessing, it is oppression they have to fear, and against this it is incumbent upon them to unite in self-defence. Heavily taxed beyond the other classes of their fellow-subjects—prevented by act of Parliament from placing their own estimate upon their time and labour—excluded continually more and more strictly from posts of honourable distinction in their own Profession—with an almost impassable barrier between themselves and the higher branch of the Law—always peculiarly liable to be misjudged by the public, who are unable to exercise an enlightened judgment on the value of the advice and aid for which they are compelled to pay, or how far its price depends upon the will of the Solicitor, and how far upon the system, which he is only the means of administering—Attornies and Solicitors will never occupy that position, or enjoy that estimation, to which they are entitled, until they cordially unite in order to vindicate and maintain it."

Again, when the Report comes to touch on the grievances of the Profession:—

"It is a subject," they say, "of frequent and just complaint, that the question whether an action shall be decided by the verdict of a jury, or by the award of an arbitrator, which is one that ought to depend entirely upon the will of the client, guided by the advice of his Attorney, is in practice frequently decided in direct opposition to their expressed wishes; the Barrister and the Judge between them deciding, and frequently from motives of mere personal convenience, that the case shall be referred, after all the necessary expenses of the trial have been already incurred. This is not only an interference with the legitimate province of the Attorney, but it often occasions a serious amount of additional inconvenience and expense, which is a positive loss to the client, be the issue of his cause what it may. Without wishing to cast any unjust imputation upon the gentlemen of the Bar, it is obvious, that, if Barristers gained nothing by a case going before an arbitrator, one motive for their urging references against the wishes of their clients would vanish. The members of the Profession in the north of England not unfrequently act upon this hint, and, if they are compelled to refer, insist, in their turn, upon the reference being to a Solicitor, and not to a Barrister, and frequently also dispense with the services of the Bar in conducting the case when it is before the arbitrator—an arrangement which, at less cost, is quite as advantageous and satisfactory to the client, and which, if the Attornies upon both sides agree to it, cannot be successfully resisted. But, in addition to this, there is a large class of cases which are evidently better fitted for a reference than a trial, and the committee would recommend their professional brethren to take into consideration the expediency of referring to one of their own body all cases which do not go to a

* Metropolitan and Provincial Law Association. Report of the Committee of Management made to the Second Annual General Meeting, held April 18, 1849.

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verdict, except where the nature of the case seems to call for the peculiar experience of a member of the Bar. The weakness of this branch of the Profession consists, in a great degree, in the way in which they continually play into the hands of their competitors of a higher branch; and there is a palpable inconsistency in their at the same time complaining of being excluded from all posts of honourable distinction, for the benefit of the Bar, and especially from such as partake of a minor judicial character, and yet, whenever they have themselves the appointment of a person to fill a judicial position which is open to themselves in common with the Bar, almost invariably naming, or consenting to the nomination of, a Barrister. Whether it arise from an excess of generosity, or from professional jealousy, it appears to the committee to be equally an unwise and a suicidal policy."

Again, in commenting on the Bankruptcy Bill now before the Legislature:—

"The eighth article provides that a Serjeant-at-Law, or a Barrister of seven years' standing, shall alone be eligible to be appointed a commissioner of the court. Against the monopoly of appointments which is being rapidly consummated by the members of the Bar, the committee think it important to take every opportunity of protesting. The exclusion of Attornies from eligibility as Commissioners in Bankruptcy is a modern innovation, arising solely from the fact that the Bar has gradually succeeded in getting a control over the appointing authorities. It is not warranted by experience, which shews, on the contrary, that the duties of the office have always been as well fulfilled by Attornies as by Barristers; and this is what would be expected from a consideration of the nature of those duties, which arise principally from mercantile matters and questions of account, with which solicitors in large practice have daily to deal, and concerning which it frequently happens that Barristers of much more than seven years' standing are profoundly ignorant. Much of the dissatisfaction which is at present felt by the public with the Bankruptcy Court arises from the fact, that some of the learned Commissioners are not, as they cannot be expected, from their want of experience, to be, sufficiently acquainted with the details of the ordinary transactions of a commercial community. The committee contend, that, having regard to the apprenticeship and examination to which Solicitors are subjected, if seven years' standing at the Bar is to confer eligibility, a similar amount of actual practice as a Solicitor ought also to do so. The committee believe that the experience of the local courts would shew that judges appointed from the ranks of the Attornies are, in general, at any rate as capable of discharging their duties with benefit and satisfaction to the public, as well as to the Profession, as those who have been raised from the junior Bar."

And again, in speaking of the County Courts:—

"The committee cannot allow this opportunity to pass without repeating, in the name of their professional brethren, their protest against those provisions of the County Courts Act, by which Attornies and Solicitors are excluded from eligibility for the appointments of Judges—by which their right of advocacy is rendered dependent upon the will of the Judge—and by which their fees are so restricted as continually to render the conducting of a case in those courts a positive loss to the practitioner. They think that every means should be adopted that seems likely to remedy these grievances, which they feel are obnoxious to every sound principle of public or professional policy."

From all this it is quite clear, that the Society thinks the Bar has an undue preponderance in the public estimation, and means to urge that the Solicitors ought, as a body, to contend against that preponderance.

To us this question has always appeared very free from difficulty, looking, as we do, at both branches of the Profession as made for the public, and not the public for them. As English professional society has been constituted for ages—as we now find it constituted—there is a distinction between the studies and occupations, and, as a consequence, between the position and privileges, of the Bar and of Solicitors. That distinction may be ill founded, and if it is—if it is pernicious to the public—it must, of course, cease. But thus much is certain—there must be either a distinction or no distinction. If it is for the benefit of the public—a point on which we offer no opinion—that the business now entrusted to Barristers should be indifferently entrusted to them or to Solicitors, and that all the inferior judicial appointments now customarily filled by Barristers shall be filled indifferently by them or by Solicitors, the simple operation of all this will be to abolish the distinction between Barrister and Solicitor, and to make every man in the Profession, (except, perhaps, a few leading men, who choose to confine themselves to advocacy), Barrister as well as Solicitor, Solicitor as well as Barrister. It may be that such a change will be for the benefit of the public; but such a change will assuredly follow, if the plans of the Metropolitan and Provincial Law Association are carried out with success; and the profession of advocate and attorney will become united, as it is in most continental countries—as it is, we believe, almost universally, in America.

The Society has other objects of less questionable utility than that of amalgamating the two branches of the Profession. It proposes to devote its powers to the promotion of rational reform of the law, and particularly to the bringing before the Profession and the Legislature, from time to time, such suggestions for improvements as occur more naturally and frequently to Solicitors than to those who are not acquainted with the details of practice, and the way in which laws practically work. But, even in these law-reforming projects, we perceive that the Association bases its views and feelings upon the idea of the public being made for Solicitors, rather than Solicitors for the public. For instance, in reference to Lord Brougham's proposed extension of the provisions of the 8 & 9 Vict. c. 119, we find the following in the Society's Report:—

"A short bill, introduced by Lord Brougham, has already passed the Lords, extending the provisions of the 8 & 9 Vict. c. 119, by which the Taxing Masters were required, in estimating the sum proper to be charged for certain deeds, to consider, not their length, but the skill and labour employed, and the responsibility incurred in their preparation; and enacting, that the same principles shall be applied in taxing the costs for preparing or executing any deed, will, or other instrument in writing.

"No step has yet been taken on this bill in the House of Commons, and the committee hope that it will undergo the careful scrutiny of the Profession before it is suffered to pass into law. The bill upon which it is founded has very rarely been acted upon; but the present measure may be so interpreted as to produce the most sweeping and prejudicial changes in the department of conveyancing, and it calls for active and anxious attention to its progress, that the welfare of the Profession may not be sacrificed to its experimental provisions."

On the whole, we conceive, judging from the Report published by this Society, of its objects and intentions, that it is one calculated to produce, as we have already said, at least important results; but we would caution it against indulging too much in the "class" spirit which seems to animate it. If it does, it will do less good to the public, and more harm to the Profession, than it obviously desires and intends.

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COURT OF QUEEN'S BENCH.

TRINITY TERM.—12 VICTORIA.—*June* 4.

This Court will, on Wednesday the 13th day of June instant, and two following days, and on Wednesday the 20th, and three following days, hold sittings, and will proceed in disposing of the business in the Crown Paper, the Special Paper, and New Trial Paper; and will also hold a sitting on Thursday the 5th day of July next, and give judgment in cases previously argued.

BY THE COURT.

COURT OF COMMON PLEAS.

TRINITY TERM.—12 VICTORIA.—*June* 7.

This Court will, on Tuesday the 19th day of June instant, and on every succeeding day (Sunday excepted) until and inclusive of Monday the 25th day of June instant, hold sittings, and will proceed in disposing of the business now pending in the Special Paper and in the Paper of New Trials; and will also proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

THOMAS WILDE.

COURT OF EXCHEQUER.

TRINITY TERM.—12 VICTORIA.—*June* 4.

This Court will hold sittings on Saturday the 16th day of June instant, and on every succeeding day (Sundays excepted) until and including Tuesday the 26th day of June instant, and also on Friday the 6th day of July next; and will, at such sittings, proceed in disposing of the business then pending in the Paper of New Trials, in the Paper of Special Cases, and in the Paper of Demurrers, and in disposing of the motions and applications which shall then have been made and shall be then pending, and in giving judgment in all cases then standing for judgment.

FREDERICK POLLOCK.
E. H. ALDERSON.
R. M. ROLFE.
T. J. PLATT.

Read in open court,
E. Bennett.

London Gazettes.

TUESDAY, JUNE 5.

BANKRUPTS.

GEORGE SAVAGE, East Dean, Sussex, grocer, dealer and chapman, June 15 and July 17 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Sherwood, Chichester; Staniland & Long, 30, Bouverie-street, Fleet-street.—Fiat dated May 31.

WILLIAM RIDGE, Grosvenor-row, Pimlico, Middlesex, corn dealer, June 15 at 1, and July 17 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons.—Fiat dated June 1.

JOHN MYERS LEVINE and MARK LEVISON, Norwich, jewellers and dealers in fancy goods, dealers and chapmen, June 13 at 11, and July 11 at half-past 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. M'Gregor, 8, Bow-churchyard, Cheapside, London.—Fiat dated May 18.

WILLIAM SHACKEL, Canning-place, Old-street, St. Luke's, Middlesex, bacon merchant, dealer and chapman, June 13 at 12, and July 25 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Hill & Heald, 23, Throgmorton-street.—Fiat dated May 28.

JOHN HASKINS GANDELL, Parliament-street, Westminster, Middlesex, and Llangollen, North Wales, railway contractor, dealer and chapman, June 15 and July 21 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sol. Lewis, Ely-place, Holborn.—Fiat dated May 26.

WILLIAM TOWSE, Wokingham, Berkshire, oil and colourman, wine and spirit merchant, dealer and chapman, June 14 at half-past 2, and July 12 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Soames, Wokingham, and Old Broad-street, London.—Fiat dated May 31.

JOHN TURNILL and WILLIAM WATERHOUSE, formerly of Sutton-street, Lambeth, Surrey, late of Lillington-street, Vauxhall-bridge-road, and now of Denbigh-street, Belgrave-road, Pimlico, Middlesex, carpenters and builders, dealers and chapmen, June 12 at 2, and July 10 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Turnley, 16, Cornhill.—Fiat dated May 29.

EDWARD WESTON LEMM, Princes-street, Hanover-square, Middlesex, military outfitter, tailor, dealer and chapman, June 12 at 1, and July 10 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Depree, 9, Lawrence-lane, Cheapside.—Fiat dated May 31.

HENRY WATKIN, Newport, Shropshire, draper, dealer and chapman, June 16 and July 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Garbett, Dawley; Smith, Birmingham; Stanley, Staple-inn, London.—Fiat dated May 31.

JOSEPH ELLIS, Pontypool, Monmouthshire, dealer in wines and spirits, victualler, publican, dealer and chapman, June 19 and July 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Castle & Henderson, Bristol; Surr & Gribble, Lombard-street, London.—Fiat dated May 30.

EBSWORTHY TAPSON, Cardiff, Glamorganshire, coal agent, but lately of the same place, coal merchant, dealer and chapman, June 21 and July 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Hassell, Bristol; Irwin & Taylor, Verulam-buildings, London.—Fiat dated May 31.

JOHN MORRIS, Brecon, Breconshire, druggist, oilman, dealer and chapman, June 19 and July 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. W. and C. Bevan, Bristol; White & Co., Bedford-row.—Fiat dated May 31.

GILES DIXON, Uffculme, Devonshire, butter factor, dealer and chapman, June 14 and July 12 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Laidman, Exeter; Clowes & Co., Temple, London.—Fiat dated May 31.

JOHN QUIGLEY, Birkenhead, Cheshire, victualler, June 19 and July 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove: Sols. Fletcher & Hull, Liverpool; Cotterill, Throgmorton-street, London.—Fiat dated May 31.

ISAAC PERRY CARTWRIGHT, Nantwich, Cheshire, chemist and druggist, June 15 and July 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Broughton, Nantwich; Gregory & Co., Bedford-row, London.—Fiat dated May 25.

MEETINGS.

John Lewtas, Manchester, cabinet maker, June 16 at 11, District Court of Bankruptcy, Manchester, last ex.—*John Croudson*, Wigan, Lancashire, money scrivener, June 19 at 11, District Court of Bankruptcy, Manchester, last ex.—*James Fraser*, Brighton, Sussex, draper, June 27 at 11, Court of Bankruptcy, London, aud. ac.—*John Wintle*, Westbury-upon-Trym, Gloucestershire, innkeeper, June 28 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Gill*, Litherland, near Liverpool, coal merchant, June 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. S. Mulvey*, Chester, ship builder, June 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Howes*, Northwich, Cheshire, innkeeper, June 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Strutt*, Liverpool, silk mercer, June 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Copner*, Ludlow, Shropshire, mercer, June 28 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Hammerton*, Kingston-upon-Hull, tinman, June 27 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*W. Chaffer*,

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Barton-upon-Humber, Lincolnshire, ironmonger, June 27 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; at 11, first and fin. div.—*Wm. Hirst, Joseph Hirst,* and *Wm. Hirst* the younger, Gomersal, Yorkshire, merchants, June 28 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Gale,* Bruton-street, Berkeley-square, Middlesex, bookseller, June 26 at 11, Court of Bankruptcy, London, div.—*Maurice J. Pyke,* Brighton, Sussex, jeweller, June 27 at half-past 11, Court of Bankruptcy, London, div.—*Wm. B. Brodie* and *Chas. Geo. Brodie,* Salisbury, Wiltshire, bankers, June 27 at half-past 12, Court of Bankruptcy, London, div.—*Thos. H. Pinder,* Southampton, and Cheltenham and Gloucester, Gloucestershire, tailor, June 26 at 1, Court of Bankruptcy, London, div.—*John D. Abrams,* York, tailor, June 28 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Fraser, Brighton, Sussex, draper, June 27 at 11, Court of Bankruptcy, London.—*Charles Howard,* Kingston, Surrey, and Great Tower-st., London, wine merchant, June 27 at 11, Court of Bankruptcy, London.—*James H. Davis,* Windmill-st., Haymarket, Middlesex, livery-stable keeper, June 27 at 11, Court of Bankruptcy, London.—*Edward L. Blackman,* Gracechurch-st., London, tailor, June 27 at half-past 11, Court of Bankruptcy, London.—*Lewis L. Whittle,* Bolton, Lancashire, grocer, June 26 at 12, District Court of Bankruptcy, Manchester.—*Jas. B. Smith,* Liverpool, joiner, June 28 at 11, District Court of Bankruptcy, Liverpool.—*Robert Carthy,* Stafford, carpenter, June 27 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 26.

James Hellings, Rugeley, Staffordshire, common brewer.—*Hen. Kenward,* Moreton-in-Marsh, Gloucestershire, tailor.—*Rich. J. S. Robins,* Tavistock, Devonshire, attorney.—*Edw. Davis,* Marnhull, Dorsetshire, cattle dealer.—*Joseph Johnson* the younger, Uxbridge, Middlesex, and Iver, Buckinghamshire, common carrier.—*Edw. Burnell* the younger, Bitton, Gloucestershire, cattle dealer.

FIAT ANNULLED.

Chas. Stewart, Little St. James-street, St. James's, Middlesex, builder.

SCOTCH SEQUESTRATIONS.

James Lyell, Newburgh, Fifeshire, cloth manufacturer.—*Alexander P. Reid,* Dundee, merchant.—*David Beveridge,* Maxwellton, Troqueer, Kirkcudbright, baker.—*R. Dunsmore,* Cults, near Whithorn, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Chas. Smith, Sonning, Berkshire, tailor, June 15 at 11, County Court of Berkshire, at Reading.—*George Thompson,* Hensington, near Woodstock, Oxfordshire, glove manufacturer, June 21 at 11, County Court of Oxfordshire, at Woodstock.—*John Marshall Smith,* Honiton, Devonshire, plumber, June 13 at 10, County Court of Devonshire, at Honiton.—*John L. Fry,* Honiton, Devonshire, tailor, June 13 at 10, County Court of Devonshire, at Honiton.—*Joseph Crimes,* Salford, Lancashire, joiner, June 20 at 12, County Court of Lancashire, at Salford.—*Wm. King,* Newcastle-upon-Tyne, general agent, June 21 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*William Claxton Laidler,* Newcastle-upon-Tyne, mustard manufacturer, June 21 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*W. Cox,* Wistow, Huntingdonshire, out of business, June 22 at 11, County Court of Huntingdonshire, at Huntingdon.—*Henry D. Munro,* Oxford, bachelor of arts, June 20 at 2, County Court of Oxfordshire, at Oxford.—*John Hodson,* Swavesey, Cambridgeshire, hay factor, June 22 at 11, County Court of Huntingdonshire, at Huntingdon.—*William Robinson Fairclough,* Liverpool, painter, June 11 at 10, Liverpool District County Court, at Liverpool.—*Jas. Mead,* Liverpool, wine merchant, June 11 at 10, Liverpool District County Court, at Liverpool.—*Isabella Watkinson,* widow, Liverpool, June 11 at 10, Liverpool District County Court, at Liverpool.—*Wm. Speed,* Liverpool, butcher, June 11 at 10, Liverpool District County Court, at Liverpool.—*John Edgar Gutteridge,* Oxton, Woodchurch, Cheshire, saddler, June 15 at 10, County Court of Cheshire, at Birkenhead.—*Wm. Reece,* Birkenhead, Cheshire, beer-house keeper, June 15 at 10, County Court of Cheshire, at Birkenhead.—*John Gomm Baker Bird,* Birkenhead, Cheshire, accountant, June 29 at 10, County Court of Cheshire, at Birkenhead.—*James Thompson,* June 12 at 11, County Court of Warwickshire, at Tamworth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 19 at 11, before Mr. Commissioner HARRIS.

Henry Wm. Bonsor, Weymouth-place, New Kent-road, Surrey, attorney's clerk.—*Henry Perkins,* Princes-street, Edgware-road, Middlesex, smith.—*Henry Davies,* Chapel-place, Vere-st., Oxford-st., Middlesex, saddler.

June 20 at 11, before the CHIEF COMMISSIONER.

Edw. Eley, York-pl., Pentonville-hill, Middlesex, plumber.—*Wm. Hen. Stray,* Lambeth-walk, Lambeth, Surrey, hatter.—*Wm. Doyley,* Upper Copenhagen-st., Islington, Middlesex, architect.—*Joseph Rich. Carter,* Clayland-place, Church-st., Kennington, Surrey, out of business.

June 20 at 10, before Mr. Commissioner LAW.

Wm. Nalson, Foley-st., Middlesex, bookseller.—*George Cowgill Morgan,* Carshalton, near Croydon, Surrey, farmer.—*Stephen Reynolds,* Arlington-st., Clerkenwell, Middlesex, grocer.—*Alfred Jauncey,* Dartmouth-row, Sydenham, Kent, plumber.—*Jos. Crabtree,* Little Alie-st., Goodman's-fields, Middlesex, baker.—*Fred. Oughton,* Camden-place, Southampton-st., Camberwell, Surrey, chemist.—*Wm. Marshall,* Hennage-st., Brick-lane, Spitalfields, Middlesex, engineer.

June 21 at 10, before Mr. Commissioner LAW.

Bernard Jacob, Bradford, Yorkshire, clothier's assistant.—*David Brown,* Little Alie-st., Goodman's-fields, Middlesex, baker.

Saturday, June 2.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Trewhitt, Bishopwearmouth, Durham, cartwright, No. 70,725 C.; Simpson Hodgson, assignee.—*Elizabeth Neale,* widow, Heigham, Norwich, No. 70,802 C.; George Arthur Dye, assignee.—*Wm. Notley* the younger, Cary's-mills, Bower Hinton, Somersetshire, miller: No. 70,885 C.; George Hart, assignee.—*Edmund Alderson,* Richmond, Yorkshire, joiner, No. 70,905 C.; Benjamin Wilson, assignee.

Saturday, June 2.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Brown, Luton, Bedfordshire, labourer: in the Queen's Prison.—*Hen. Butterworth,* Hercules-buildings, Westminster-road, Surrey, clerk to a stockbroker: in the Queen's Prison.—*Charles Henry Rogers Harrison,* Lansdown-road, Stockwell, Surrey, consulting surgeon: in the Queen's Prison.—*Rob. Booth,* Gibson-st., Lambeth, Surrey, carpenter: in the Queen's Prison.—*Wm. Boyce,* Cranmer-road, North Brixton, Surrey, retailer of beer: in the Gaol of Surrey.—*W. Ritson,* Westbrook-cottage, Smith-st., Kennington-common, Surrey, master mariner: in the Gaol of Horsemonger-lane.—*Absalom Symmons,* St. Andrew's-road, St. Mary, Newington, Surrey, carpenter: in the Queen's Prison.—*W. Baker Aird,* Ingrave, near Brentwood, Essex, grocer: in the Debtors Prison for London and Middlesex.—*James Bullock,* Lacey-terrace, Penton-place, Walworth-road, Surrey, printer: in the Debtors Prison for London and Middlesex.—*James Greene,* Mary-st., All Saints, Poplar, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Solomon Sequerra,* Bury-street, St. Mary-axe, London, in no business or employ: in the Queen's Prison.—*John Sills,* Clerk-

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enwell-close, Clerkenwell-green, Middlesex, in no business or employ: in the Debtors Prison for London and Middlesex.—*Walter Rothe Clarke*, The Lodge, Heath-lane, Twickenham, Middlesex, boarding-house keeper: in the Debtors Prison for London and Middlesex.—*Thomas Henly*, Upper Eaton-st., Pimlico, Middlesex, out of employ: in the Debtors Prison for London and Middlesex.—*Rob. Smith Lacey*, Praed-street, Paddington, Middlesex, lath render: in the Debtors Prison for London and Middlesex.—*John M'Carty*, Alfred-street, Brompton, and Leicester-square, Middlesex, spirit dealer: in the Debtors Prison for London and Middlesex.—*Thomas Webb*, New Bond-st., Oxford-st., Middlesex, dyer: in the Debtors Prison for London and Middlesex.—*Thomas Roberts*, Hingham, Norfolk, innkeeper: in the Gaol of Norwich.—*Edw. Maurice Browne*, Blo' Norton, Norfolk, farmer: in the Gaol of Norwich.—*John Dunthorne*, South Lynn, Norfolk, linendraper: in the Gaol of Norwich.—*Wm. Beamer*, Kensington, West Derby, Liverpool, builder: in the Gaol of Lancaster.—*Elizabeth Bennett*, Haverfordwest: in the Gaol of Haverfordwest.—*George Wm. Wallbank Grave*, Great Yarmouth, Norfolk, sailmaker: in the Gaol of Norwich.—*Thomas Rob. Lord*, Larkhall, Walcot, Bath, Somersetshire, licensed victualler: in the Gaol of Wilton.—*Wm. Scott*, Marton, near Gainsborough, Lincolnshire, licensed victualler: in the Gaol of Lincoln.—*David Toyne*, Steel Bank, Sheffield, Yorkshire, butcher: in the Gaol of York.—*Walter John Plankett Wade*, Beaumaris, Anglesey, out of business: in the Gaol of Beaumaris.—*Daniel Drake*, Piddletrenthide, Dorsetshire, commission agent for buying and selling timber: in the Gaol of Dorchester.—*Joseph Elsworth*, Pudsey, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*John Ingle*, Stamford, Lincolnshire, horsekeeper: in the Gaol of Lincoln.—*John Layton*, Ludgate-hill, Free-market, Leeds, Yorkshire, fruiterer: in the Gaol of York.—*John Meyrick*, Narbeth North, Pembrokeshire, out of business: in the Gaol of Haverfordwest.—*Sam. Adams Mayers*, Broome, Norfolk, miller: in the Gaol of Norwich.—*Ellis Morris*, Birckacre, near Chorley, Lancashire, servantman: in the Gaol of Lancaster.—*Joseph Platt*, Ravensmoor, near Nantwich, Cheshire, attorney-at-law: in the Gaol of Chester.—*Richard Surtees*, Doncaster, Yorkshire, woodman: in the Gaol of York.—*James Dawes*, Whalley-banks, Blackburn, Lancashire, overlooker in a card-room: in the Gaol of Lancaster.—*Rich. Glover*, Bolton-le-Moors, Lancashire, commission agent: in the Gaol of Lancaster.—*Wm. Hancock*, Burslem, Staffordshire, shoemaker: in the Gaol of Stafford.—*J. Parry*, Hulme, Manchester, licensed victualler: in the Gaol of Lancaster.—*Wm. Ratcliffe*, Manchester, joiner: in the Gaol of Lancaster.—*James Wilding*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 19 *at* 10, *before Mr. Commissioner* LAW.

Charles Stuart Mills, Wyn, law stationer.—*James Cathie*, Washington-place, Peckham, Surrey, plasterer.—*E. Langley*, Eaton-place, North-row, near Grosvenor-square, Middlesex, coach carver.—*James M'Fie*, on board the ship Sarah, in the London Dock Basin, Middlesex, master of the ship Sarah.

June 20 *at* 10, *before Mr. Commissioner* LAW.

Joseph Burgess, Charles-place, Park-road, Peckham, Newtown, Surrey, and Royal-hill, Greenwich, Kent, oil and colourman.—*Rich. Killick* the elder, Regent-st., Lambeth, Surrey, in no employment.

June 21 *at* 10, *before Mr. Commissioner* PHILLIPS.

Fred. Henry Harwood, Bucklersbury, London, licensed victualler.—*Geo. Edw. Downe*, Rushden, near Wellingborough, Northamptonshire, clerk, rector of Rushden.—*Wm. Pennycad*, High-st., Shadwell, Middlesex, grocer.—*James Fred. Lackersteen*, Ivy-cottage, Kennington-green, Surrey, clerk to the London Dock Company.—*Edward Russell*, Kennington-oval, Surrey, commission agent.—*James Stevens*, Upper Queen-st., Lower-road, Islington, Middlesex, following no trade.—*Geo. Cunningham*, London-wall, London, hawker for the sale of Irish linens.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, *June* 20.

Elizabeth Cross, Pudlicott, near Charlbury, servant.—*Jas. Killin*, Neithrop, near Banbury, grocer.—*Sampson Godden*, Old Woodstock, draper.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *June* 21 *at* 10.

Thomas Heppell, Newcastle-upon-Tyne, out of business.—*Levin Joel*, Newcastle-upon-Tyne, cap merchant.—*Lewis Cohen*, Newcastle-upon-Tyne, general dealer.—*Solomon Cohen*, Newcastle-upon-Tyne, cap manufacturer.

At the County Court of Monmouthshire, at MONMOUTH, *July* 6 *at* 11.

Sam. Crew, Llanternam, labourer.—*Wm. Edmunds*, Skenfrith, farmer.

At the County Court of Staffordshire, at STAFFORD, *June* 19.

William Hancock, Burslem, shoemaker.

At the County Court of Dorsetshire, at DORCHESTER, *June* 21.

Daniel Drake, Piddletrenthide, commission agent.

INSOLVENT DEBTORS' DIVIDENDS.

Jas. Bradford, Sandford, Winscombe, Somersetshire, teazle dealer: 1*s.* 1¾*d.* in the pound.—*Jas. Holland Simpson*, Spellow-farm, Radcliff, Nottinghamshire, farmer: 9¾*d.* in the pound.—*Lewis Underwood*, Upper Lisson-st., Marylebone, Middlesex, fishmonger: 1*s.* 0½*d.* in the pound.—*Wm. Coppin*, South Blyth, Northumberland, officer of customs: 2½*d.* in the pound.—*Louisa Elizabeth Gordon*, Dean's-place, South Lambeth, Surrey, schoolmistress: 3*s.* 7½*d.* in the pound.—*Thomas Gibson Willes*, Ratcliffe-highway, Middlesex, surgeon: 1*s.* 7½*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

FRIDAY, JUNE 8.

BANKRUPTS.

ROBERT BELSON, Norwich, plumber, glazier, and painter, June 20 at 12, and July 25 at half-past 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Jay & Pilgrim, Norwich; Jay, 27, Bucklersbury.—Fiat dated June 5.

JAMES CUTBUSH, Kennington, near Ashford, Kent, nursery and seedsman, dealer and chapman, June 20 at half-past 12, and July 25 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Wilkinson & Gurney, 2, Nicholas-lane, London.—Fiat dated May 30.

BENJAMIN CUBITT SIELY, North Walsham, Norfolk, money scrivener, dairyman, dealer and chapman, June 16 and July 21 at half-past 1, Court of Bankruptcy, London: Off. Ass. Follett; Sols. Wood & Blake, Falcon-street, Aldersgate.—Fiat dated June 2.

JAMES WEEKS, Ryde, Isle of Wight, grocer, dealer and chapman, June 16 at 2, and July 21 at 1, Court of Bankruptcy, London: Off. Ass. Green; Sols. Hearn, Isle of Wight; Westmacott & Pinniger, John-street.—Fiat dated June 5.

GEORGE M'GILL, Talbot-court, Gracechurch-st., London, tavern keeper and victualler, June 14 at 11, and July 23 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Prichard, Great Winchester-st.—Fiat dated May 29.

JOSEPH DURBER, Wolstanton, Staffordshire, provision dealer, ironmoulder, dealer and chapman, June 19 and July 10 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Williams, Hanley, Staffordshire.—Fiat dated June 2.

GEORGE MILLERSHIP, Oldbury, Worcestershire, draper, dealer and chapman, June 20 and July 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Sutton & Dunn, Birmingham.—Fiat dated June 2.

JOHN BRYANT RYDER DURANT, Stogursey, Somersetshire, grocer, dealer and chapman, June 19 at 11, and July 12 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Stogdon, Exeter; Chapple, 70, Aldermanbury, London.—Fiat dated May 12.

EDWARD PICKERING, Boston, Bramham, Yorkshire, silk mercer, linen and woollen draper, dealer and chapman, June 21 and July 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Cariss & Cudworth, Leeds; Hartley, Southampton-st., London.—Fiat dated June 2.

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THOMAS COX and THOMAS WHILES, Hanley, Staffordshire, drapers, (trading under the firm of Cox & Whiles), June 13 and July 11 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Sale & Co., Manchester; Motteram & Co., Birmingham. —Fiat dated May 24.

JAMES HARSHAW and WILLIAM ASKEW, Leeds, Yorkshire, cloth merchants, dealers and chapmen, June 21 and July 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Higham, Brighouse; Bond & Barwick, Leeds.—Fiat dated May 30.

GEORGE WHEELHOUSE, York, banker, dealer and chapman, June 26 and July 24 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bond & Barwick, Leeds; Williamson & Co., Great James-st., London. —Fiat dated June 2.

JOHN ROBERT WRIGHT, Leeds, Yorkshire, carrier, dealer and chapman, June 21 and July 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Cariss & Cudworth, Leeds; Hartley, Southampton-street, London.—Fiat dated June 6.

ROBERT TAYLOR GRUNDY, Bury, Lancashire, money scrivener, June 21 and July 12 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Harper, Bury; Wiglesworth & Co., 5, Gray's-inn-sq., London.— Fiat dated May 31.

JOHN CRESSWELL JOBLING, Newton-hall, Bywell St. Peter, Northumberland, dealer in and smelter of lead ore, dealer and chapman, June 18 and July 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Griffith & Crighton, Newcastle-upon-Tyne; Pringle & Co., 3, King's-road, Bedford-row, London.—Fiat dated June 4.

Meetings.

Edw. L. James, Queen-st., Cheapside, London, stationer, June 29 at half-past 11, Court of Bankruptcy, London, pr. d. —*Joseph I. Baker* and *William B. Baker*, Wolverhampton, Staffordshire, iron dealers, June 27 at 12, District Court of Bankruptcy, Birmingham, last ex. of *Jos. I. Baker*.—*James Brown*, Cold Harbour-lane, East Brixton, Surrey, builder, June 29 at half-past 11, Court of Bankruptcy, London, aud. ac.; July 3 at half-past 12, div.—*Lazarus Congdon*, Spring-street, Paddington, Middlesex, painter, June 29 at 11, Court of Bankruptcy, London, aud. ac.—*Francis Webster*, Cook's-mill, Green Writtle, Essex, innkeeper, June 30 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Christian*, Park-road, North Brixton, Surrey, merchant, June 29 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Solomon*, Union-st., Southwark, Surrey, and High Holborn, Middlesex, tea dealer, June 30 at 11, Court of Bankruptcy, London, aud. ac.— *William Robarts*, Burnham, Buckinghamshire, apothecary, June 30 at 11, Court of Bankruptcy, London, aud. ac.—*G. Row*, Kingsland-road, Middlesex, and Gravesend, Kent, shoemaker, June 30 at 12, Court of Bankruptcy, London, aud. ac. and div.—*C. J. J. Turner* and *Wm. Atherton*, Bucklersbury, and Old Jewry, London, auctioneers, June 30 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Marsom*, South-place, Finsbury, Middlesex, dealer in horses, July 4 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Richard Hawkins*, Newnham, Gloucestershire, out of business, June 29 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Richard Allinson*, Whitehaven, Cumberland, ironmonger, July 2 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. —*Hudson Cranston*, Sunderland, Durham, chemist, July 10 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; July 12 at 11, div.—*Robert Peck*, Newcastle-upon-Tyne, grocer, July 3 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Newark Lax* and *Edward Lax*, Berry-edge, Durham, grocers, July 2 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; July 3 at half-past 10, div.—*E. C. Blackwell* and *J. N. Dunford*, Newbiggin-by-the-Sea, Northumberland, brewers, July 3 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. A. Holden*, Preston, Lancashire, tobacconist, July 2 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Saml. Barrow*, Hulme, Lancashire, plasterer, July 2 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 3 at 12, div.—*William North*, York, jeweller, July 2 at 12, District Court of Bankruptcy, Leeds, aud. ac.; July 3 at 12, div.—*George Alletson* the younger and *John W. Tebbs*, Calder Dye Works, Wakefield, Yorkshire, dyers, July 2 at 11, District Court of Bankruptcy, Leeds, aud. ac.; July 3 at 11, div.—*Joseph Whiddon*, Plymouth, Devonshire, cement manufacturer, July 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Saml. Cockings*, Torquay, Devonshire, timber merchant, July 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*James Edwards*, Allington, Dorsetshire, sack-twine manufacturer, July 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Henry Tucker*, Colyton, Devonshire, linendraper, July 11 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Wm. Good*, East Stonehouse, Devonshire, brewer, July 10 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*W. Clayton*, Cheapside, London, carpet warehouseman, June 29 at 1, Court of Bankruptcy, London, fin. div.—*Lewis Reis*, *James Power*, and *Gustavus Kœnig*, Fenchurch-street, London, and Wandsworth, Surrey, merchants, July 3 at 12, Court of Bankruptcy, London, div.—*John Gloge*, Portsmouth, Southampton, tailor, June 29 at 11, Court of Bankruptcy, London, div.—*George Cheetham*, Frindsbury, Kent, shipbuilder, June 29 at 11, Court of Bankruptcy, London, div.—*Thomas Lyon* and *Edward Lyon*, Birchin-lane, London, bill brokers, June 29 at 1, Court of Bankruptcy, London, div.—*Alexander Beattie* and *Francis Macnaghten*, Nicholas-lane, Lombard-street, London, merchants, June 29 at half-past 12, Court of Bankruptcy, London, div.—*Atkinson Willis*, Nicholas-lane, Lombard-street, London, merchant, June 29 at half-past 12, Court of Bankruptcy, London, div.—*Charles Crudgington* and *Thomas Southall*, Tipton, Staffordshire, ironmasters, July 17 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; July 24 at 10, div.—*Wm. Thos. Morgan*, Neath, Glamorganshire, draper, July 9 at 11, District Court of Bankruptcy, Bristol, fin. div.—*R. M. Toogood*, Cwm Brane, near Newport, Monmouthshire, grocer, July 9 at 11, District Court of Bankruptcy, Bristol, div.—*James Edwards*, Allington, Dorsetshire, sack-twine manufacturer, July 12 at 1, District Court of Bankruptcy, Exeter, div.—*John Strutt*, Liverpool, silk mercer, July 2 at 11, District Court of Bankruptcy, Liverpool, div.—*George Howes*, Northwich, Cheshire, innkeeper, July 2 at 11, District Court of Bankruptcy, Liverpool, div.—*Henry Thompson*, Manchester, and Nafferton, near Driffield, Yorkshire, corn merchant, July 10 at 12, District Court of Bankruptcy, Manchester, div.—*Henry Copner*, Ludlow, Shropshire, mercer, June 29 at 12, District Court of Bankruptcy, Manchester, fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Daniel Smith and *Fred. D. Smith*, Bevor-lane, Hammersmith, Middlesex, wholesale drysalters, June 29 at 1, Court of Bankruptcy, London.—*Fred. True*, Downham-market, Norfolk, ironmonger, July 3 at 1, Court of Bankruptcy, London.—*James Connell*, Stainsby-road, East India-road, Poplar, Middlesex, timber merchant, June 29 at 12, Court of Bankruptcy, London.—*Wm. Skinner*, High-street, Aldgate, London, clothier, June 29 at 1, Court of Bankruptcy, London. —*John Wiggins*, Greenwich, Kent, bookseller, June 30 at 1, Court of Bankruptcy, London.—*Thomas Charles Clarkson*, Bennett-street, Stamford-street, Blackfriars-road, Surrey, leather merchant, June 29 at half-past 11, Court of Bankruptcy, London.—*Richard Rees*, Duke-street, Westminster, Middlesex, shoe manufacturer, June 30 at half-past 1, Court of Bankruptcy, London.—*T. Marsom*, South-pl., Finsbury, Middlesex, dealer in horses, July 4 at half-past 11, Court of Bankruptcy, London.—*William Prosser Morgan*, Abergavenny, Monmouthshire, innkeeper, July 3 at 11, District Court of Bankruptcy, Bristol.—*Frederick Brain*, Thomas-street, Stamford-street, Blackfriars, Surrey, guano manufacturer, July 4 at 11, Court of Bankruptcy, London.— *Robert Hebblethwaite*, Southowram, Halifax, Yorkshire, and *James Hirst*, Halifax, Yorkshire, dyers, July 3 at 11, District Court of Bankruptcy, Leeds.—*Rich. Smithies*, Turner Fold, Aighton Bailey and Chaighley, Lancashire, timber dealer, July 4 at 12, District Court of Bankruptcy, Manchester. — *Mary Whittaker*, Clitheroe, Lancashire, innkeeper, July 3 at 12, District Court of Bankruptcy, Manchester. — *Henry Wilcox*, Manchester, tailor, July 2 at 12, District Court of Bankruptcy, Manchester.—*Joseph Johnson*, Manchester, smallware manufacturer, June 29 at 11, District Court of Bankruptcy, Manchester.—*Charles Jepson*,

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New Malton, Yorkshire, innkeeper, July 6 at 11, District Court of Bankruptcy, Leeds.—*Wm. Jackson*, Birkenhead, Cheshire, auctioneer, July 2 at 11, District Court of Bankruptcy, Liverpool.—*Mary Jane Shephard*, Liverpool, victualler, July 2 at 11, District Court of Bankruptcy, Liverpool.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before June 29.

Joseph Whiddon, Plymouth, Devonshire, cement manufacturer.—*Alex. M'Comb*, Liverpool, tailor.—*Wm. Turnbull*, Newcastle-upon-Tyne, victualler.—*Wm. Gambier Walker*, Newick, Sussex, surgeon.—*Aaron Egerton*, Over, Cheshire, builder.—*George Pratt*, Addison-road North, and Queen's-road, Notting-hill, Middlesex, builder.—*George Holdsworth*, Northowram, Halifax, Yorkshire, worsted spinner.—*Thomas Manders*, High-row, Knightsbridge, Middlesex, victualler.—*Charles Kent*, Ashbourne, Derbyshire, draper.—*Wm. Wiles*, York-row, Kennington-road, and Dulwich, Surrey, pawnbroker.

PARTNERSHIP DISSOLVED.

George John Durrant and *Henry Last*, attornies at law and solicitors in Chancery.

SCOTCH SEQUESTRATIONS.

Angus Mackay, Oykell, Ross-shire, innkeeper.—*Jas. Wilson Johnston*, Edinburgh, banker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Startin, Walsall, Staffordshire, coach-harness manufacturer, June 19 at 12, County Court of Staffordshire, at Walsall.—*Catherine Chambers*, Walsall, Staffordshire, school governess, June 19 at 12, County Court of Staffordshire, at Walsall.—*J. Rhodes*, Parkgate, Leighton, Cheshire, forwarding agent, June 15 at 10, County Court of Cheshire, at Birkenhead.—*Solomon Reuben*, Great Yarmouth, tobacconist, June 19 at 10, County Court of Norfolk, at Great Yarmouth.—*Joseph Cresswell*, Wolverhampton, Staffordshire, licensed victualler, June 20 at 12, County Court of Staffordshire, at Wolverhampton.—*Alex. Gallaway*, Alton, Hampshire, surveyor of taxes, June 26 at 11, County Court of Hampshire, at Alton.—*Sam. Smith*, Bungay Holy Trinity, Suffolk, corn-chandler, June 20 at 1, County Court of Suffolk, at Beccles.—*John Atkin*, Newark-upon-Trent, Nottinghamshire, out of business, July 7 at 12, County Court of Nottinghamshire, at Newark.—*Edmund Rowbotham*, Nottingham, assistant to a miller, July 7 at 12, County Court of Nottinghamshire, at Newark.—*Rob. Hodges*, Newark-upon-Trent, Nottinghamshire, beer-house keeper, July 7 at 12, County Court of Nottinghamshire, at Newark.—*Benjamin Mason*, Embsay, Skipton, Yorkshire, spindle forger, June 22 at 10, County Court of Yorkshire, at Skipton.—*Thomas Pugh*, Caerleon, Monmouthshire, innkeeper, June 20 at 10, County Court of Monmouthshire, at Newport.—*Herbert Williams*, Newport, Monmouthshire, out of business, June 20 at 10, County Court of Monmouthshire, at Newport.—*Robert Moore*, Sheerness, Isle of Sheppy, Kent, blacksmith, June 16 at 10, County Court of Kent, at Sheerness.—*Rich. Jeyes*, Hillmorton, near Rugby, Warwickshire, out of business, June 25 at 10, County Court of Warwickshire, at Rugby.—*Jas. Beal*, Shottenden, Chilham, Kent, out of business, June 14 at 10, County Court of Kent, at Canterbury.—*Henry Baisden Thatcher*, Canterbury, Kent, coffee-house keeper, June 14 at 10, County Court of Kent, at Canterbury.—*Pierce Andrews*, Ashford, Kent, messenger to the South-eastern Railway Company, June 15 at 10, County Court of Kent, at Ashford.—*Jas. Windmill*, Glastonbury, Somersetshire, butcher, July 13 at 11, County Court of Somersetshire, at Wells.—*John Sanders*, Pinhoe, Devonshire, dealer in hay, June 30 at 10, County Court of Devonshire, at Exeter.—*Alex. Hendry*, Kidderminster, Worcestershire, huckster, June 20 at 9, County Court of Worcestershire, at Kidderminster.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 23 at 10, before Mr. Commissioner PHILLIPS.

Henry Lucas, Freeschool-st., Horselydown, Surrey, cheesemonger.—*John White*, Little Cadogan-place, Chelsea, Middlesex, livery-stable keeper.—*Ann Owen*, widow, Pump-row, Old-st.-road, Middlesex, not in any business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 22 at 11, before Mr. Commissioner HARRIS.

Henry Matthews, Gravesend, Kent, auctioneer.—*Henry Harris Fox*, Holland-street, Clapham-road, Surrey, upholsterer.—*James White*, Sussex-square, Paddington, Middlesex, out of business.

June 25 at 11, before the CHIEF COMMISSIONER.

John Wrettom, Felix-place, Liverpool-road, Islington, Middlesex, builder.—*John Caspar Mais*, Charrington-st., Somerstown, Middlesex, wine merchant.—*Denis Thomas O'Brien*, Upper Stamford-st., Surrey, barrister at law in Ireland.—*Ed. Clark*, Nicholl's-square, Hackney-road, Shoreditch, Middlesex, coffee roaster.—*Sam. Felix Ed. Needham*, Shacklewell-lane, Hackney, Middlesex, painter.—*Hen. Butterworth*, Hercules-buildings, Westminster-road, Middlesex, clerk to a stockbroker.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

James Vickers, Otley, near Leeds, Yorkshire, out of business, No. 71,094; George Clark Medd, assignee.—*James Battersby*, Bootle, near Liverpool, in no business, No. 70,408; Geo. William Battams, assignee.—*Jonas Walton*, Manchester, timber dealer, No. 71,096; William Charlesworth, assignee.—*Sam. Stanley*, Manchester, timber dealer, No. 71,090; Wm. Charlesworth, assignee.—*Wm. France*, Preston, Lancashire, out of business, No. 70,587; John Gillibrand, assignee.—*William Swenburn*, Manchester, out of business, No. 71,045; Thomas Wilson, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *June 22 at 11.*

Dan. W. Redfern, Manchester, labourer.—*Wm. Ratcliffe*, Manchester, joiner.—*Rich. Glover*, Little Bolton, Bolton-le-Moors, out of employment.—*John Parry*, Hulme, Manchester, out of business.—*Thos. Casson*, Ulverston, saddler.—*John Hall*, Bury, out of business.—*John Edsforth*, Blackburn, bookkeeper.—*Nathan Lee*, Liverpool, painter.—*Thos. Watkinson*, Liverpool, out of business.—*James Simister*, Hulme, Manchester, provision dealer.—*James Smethurst*, Hulme, Manchester, out of business.—*J. Parkinson*, Salford, mechanic.—*Peter Ryder* the younger, Droylsden, near Manchester, brickmaker.—*Ellis Norris*, Birckacre, near Chorley, servantman.

At the County Court of Norfolk, at NORWICH, *June 22 at 10.*

James Murrell, Norwich, dealer in glass.

At the County Court of Norfolk, at NORWICH CASTLE, *June 22 at 10.*

Thomas Roberts, Hingham, innkeeper.—*George Wm. W. Grave*, Great Yarmouth, sailmaker.—*Edward M. Browne*, Botesdale, attorney at law.—*Sam. A. Mayers*, Broome, out of business.—*John Dunthorne*, South Lynn, out of business.

At the County Court of Hertfordshire, at HERTFORD, *June 22.*

John Hall, Great Gaddesden, shoemaker.

At the County Court of Warwickshire, at COVENTRY, *June 23.*

Thomas Johnson, Stretton-upon-Dunsmore, farmer.—*Jas. Blakemore*, Birmingham, greengrocer.

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Insolvent Debtors' Dividends.

Gordon Urquhart, Brompton, Middlesex, superintendent in the office of the Treasurer of the Navy, June 9, at Key's, Lower Brook-street, Bond-street: 3*s.* 6*d.* in the pound, (in addition to 14*s.* 4½*d.* by former divs.).—*Miles Pollitt*, Beardwood Fold, near Blackburn, Lancashire, farmer, June 8, at Haydock's, Preston: 8*s.* 9½*d.* in the pound.

Members returned to serve in Parliament.—Samuel Dickson, Esq., for the county of Limerick, in the room of William Smith O'Brien. Sir David Dundas, Her Majesty's Judge Advocate-General, for the county of Sutherland. The Hon. Heneage Finch, commonly called Lord Guernsey, for the county of Warwick, (Southern Division), in the room of Evelyn John Shirley, Esq., who has accepted the office of Steward of Her Majesty's Chiltern Hundreds.

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The Jurist

No. 649—Vol. XIII. JUNE 16, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inne Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, JUNE 16, 1849.

At the present time, when so much discussion is taking place upon the constitution and procedure of the courts of equity, it may not be uninteresting to our readers to have brought to their notice some portions of an act recently passed by the Legislature of the State of New York, for the reform and simplification of the law*. Most of our readers are probably aware, that in America the English system of jurisprudence has prevailed, with regard to the separation of the courts into the two great classes of equity and common-law courts; and a perusal of Mr. Justice Story's work on Equity Jurisprudence will shew, that, subject to those slight differences only—differences rather of detail than of principle, which have arisen from the somewhat different state of society to which the jurisdiction of equity has been applied in that country—American equity has been the same, and administered according to the same course of procedure, as English equity†.

In some states of America, distinct *courts* of equity are established; in others, the powers are exercised concurrently with the common-law jurisdiction, by the same tribunal‡. But, wherever equity has been administered, we believe that the system of pleading and general procedure has closely resembled that pursued in England.

The act of the Legislature of New York State, to which we have referred, commences as follows:—"Whereas it is expedient that the present forms of actions and pleadings in cases at common-law should be abolished, that the distinction between legal and equitable remedies should no longer continue, and that an uniform course of proceedings in all cases should be established: therefore," &c.; and then follows the enacting part.

The portions to which we shall at present specially call the attention of our readers are Title I and Title VI of part II, cc. 1, 2, 3, 4; and Title XII, c. 6.

Title I is as follows:—

"TITLE I.—Of the Form of Civil Actions.

Sect. 69. [62.] The distinction between actions at law and suits in equity, and the forms of all such actions and suits, heretofore existing, are abolished; and there shall be in this state, hereafter, but one form of action, for the enforcement or protection of private rights and the redress of private wrongs, which shall be denominated a civil action.

Sect. 70. [63.] In such action the party complaining shall be known as the plaintiff, and the adverse party as the defendant.

Sect. 71. [64.] No action shall be brought upon a judgment rendered in any court of this state, (except a court of a justice of the peace), between the same parties, without leave of the court for good cause shewn, on notice to the adverse party: and no action on a judgment rendered by a justice of the peace shall be brought in the same county within five years after its rendition, except in case of his death, resignation, incapacity to act, or removal from the county, or that the process was not personally served on the defendant or on all the defendants, or in case of the death of some of the parties, or where the docket or record of such judgment is or shall have been lost or destroyed.

Sect. 72. [65.] Feigned issues are abolished; and instead thereof, in the cases where the power now exists to order a feigned issue, or when a question of fact, not put in issue by the pleadings, is to be tried by a jury, an order for the trial may be made, stating, distinctly

* "An Act to amend an Act intituled 'An Act to simplify and abridge the Practice, Pleadings, and Proceedings of the Courts of this State,' passed April 12, 1848. (Passed 11th April, 1849)."

† Story, vol. 1, p. 52. ‡ Ibid.

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and plainly, the question of fact to be tried, and such order shall be the only authority necessary for a trial."

Title VI is as follows:—

"TITLE VI.—OF THE PLEADINGS IN CIVIL ACTIONS.

Chapter I.—The Complaint.

Sect. 140. [118.] All the forms of pleading heretofore existing, inconsistent with the provisions of this act, are abolished; and hereafter the forms of pleading in civil actions in courts of record, and the rules by which the sufficiency of the pleadings is to be determined, are modified, as prescribed by this act.

Sect. 141. [119.] The first pleading on the part of the plaintiff is the complaint.

Sect. 142. [120.] The complaint shall contain—

1. The title of the cause, specifying the name of the court in which the action is brought, the name of the county in which the plaintiff desires the trial to be had, and the names of the parties to the action, plaintiff and defendant.
2. A statement of the facts constituting the cause of action, in ordinary and concise language, without repetition, and in such a manner as to enable a person of common understanding to know what is intended.
3. A demand of the relief to which the plaintiff supposes himself entitled. If the recovery of money be demanded, the amount thereof shall be stated.

Chapter II.—The Demurrer.

Sect. 143. [121.] The only pleading on the part of the defendant is either a demurrer or an answer. It must be served within twenty days after the service of the copy of the complaint.

Sect. 144. [122.] The defendant may demur to the complaint, when it shall appear upon the face thereof, either—

1. That the Court has no jurisdiction of the person of the defendant, or the subject of the action; or,
2. That the plaintiff has not legal capacity to sue; or,
3. That there is another action pending between the same parties, for the same cause; or,
4. That there is a defect of parties, plaintiff or defendant; or,
5. That several causes of action have been improperly united; or,
6. That the complaint does not state facts sufficient to constitute a cause of action.

Sect. 145. [123.] The demurrer shall distinctly specify the grounds of objection to the complaint. Unless it do so, it may be disregarded. It may be taken to the whole complaint, or to any of the alleged causes of action stated therein.

Sect. 146. [125.] If the complaint be amended, a copy thereof must be served on the defendant, who must answer it within twenty days; or the plaintiff, upon filing with the clerk, on proof of the service, and of the defendant's omission, may proceed to obtain judgment, as provided by sect. 246; but where an application to the Court for judgment is necessary, eight days' notice thereof must be given to the defendant.

Sect. 147. [126.] When any of the matters enumerated in sect. 144 do not appear upon the face of the complaint, the objection may be taken by answer.

Sect. 148. [127.] If no such objection be taken, either by demurrer or answer, the defendant shall be deemed to have waived the same, excepting only the objection to the jurisdiction of the Court, and the objection that the complaint does not state facts sufficient to constitute a cause of action.

Chapter III.—The Answer.

Sect. 149. [128.] The answer of the defendant shall contain—

1. In respect to each allegation of the complaint controverted by the defendant, a general or specific denial thereof, or a denial thereof according to his information and belief, or of any knowledge thereof sufficient to form a belief.
2. A statement of any new matter constituting a defence, in ordinary and concise language, without repetition, and in such a manner as to enable a person of common understanding to know what is intended.

Sect. 150. [129.] The defendant may set forth, by answer, as many defences as he shall have. They shall each be separately stated, and refer to the causes of action which they are intended to answer, in any manner by which they may be intelligibly distinguished.

Sect. 151. The defendant may demur to one or more of several causes of action stated in the complaint, and answer the residue.

Sect. 152. Sham answers and defences may be stricken out on motion.

Chapter IV.—The Reply.

Sect. 153. [131.] When the answer shall contain new matter, the plaintiff may, within twenty days, reply to it, denying, generally or particularly, each allegation controverted by him, or any knowledge or information thereof sufficient to form a belief; and he may allege, in ordinary and concise language, without repetition, and in such a manner as to enable a person of common understanding to know what is intended, any new matter not inconsistent with the complaint, in avoidance of the answer, or of any defence set up therein; or he may demur to the same for insufficiency, stating in his demurrer the grounds thereof. And the plaintiff may demur to one or more of several defences set up in the answer, and reply to the residue.

Sect. 154. If the answer contain a statement of new matter, constituting a defence, and the plaintiff fail to reply or demur thereto within the time prescribed by law, the defendant may move, on a notice of not less than ten days, judgment, as he is entitled to upon such statement; and, if the case require it, a writ of inquiry of damages may be issued.

Sect. 155. If a reply of the plaintiff, to any defence set up by the answer of the defendant, be insufficient, the defendant may demur thereto, and shall state the grounds thereof."

Title XII, c. 6, is as follows:—

"*Chapter VI.—Examination of Parties.*

Sect. 389. [343.] No action to obtain discovery under oath, in aid of the prosecution or defence of another action, shall be allowed; nor shall any examination of a party be had, on behalf of the adverse party, except in the manner prescribed by this chapter.

Sect. 390. [344.] A party to an action may be examined as a witness, at the instance of the adverse party, or of any one of several adverse parties; and for that purpose may be compelled, in the same manner, and subject to the same rules of examination, as any other witness, to testify, either at the trial, or conditionally, or upon commission.

Sect. 391. [345.] The examination, instead of being had at the trial, as provided in the last section, may be had at any time before the trial, at the option of the party claiming it, before a judge of the court or a county judge, on a previous notice to the party to be examined, and any other adverse party, of at least five days, unless, for good cause shewn, the judge order otherwise. But the party to be examined shall not be compelled to attend in any other county than that of his residence, or where he may be served with a summons for his attendance.

Sect. 392. [346.] The party to be examined, as in the last section provided, may be compelled to attend, in the same manner as a witness who is to be examined

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conditionally; and the examination shall be taken and filed by the judge in like manner, and may be read by either party on the trial.

Sect. 393. [347.] The examination of the party, thus taken, may be rebutted by adverse testimony.

Sect. 394. [348.] If a party refuse to attend and testify, as in the last four sections provided, he may be punished as for a contempt, and his complaint, answer, or reply may be stricken out.

Sect. 395. [349.] A party examined by an adverse party, as in this chapter provided, may be examined on his own behalf, in respect to any matter pertinent to the issue. But if he testify to any new matter, not responsive to the inquiries put to him by the adverse party, or necessary to explain or qualify his answers thereto, or discharge when his answers would charge himself, such adverse party may offer himself as a witness on his own behalf, in respect to such new matter, and shall be so received.

Sect. 396. [350.] A person for whose immediate benefit the action is prosecuted or defended, though not a party to the action, may be examined as a witness, in the same manner, and subject to the same rules of examination, as if he were named as a party.

Sect. 397. [351.] A party may be examined on the part of his co-plaintiff or a co-defendant; but the examination thus taken shall not be used on behalf of the party examined, except as against the examining party. And whenever, in the case mentioned in sects. 390 and 391, one of several plaintiffs or defendants, who are joint contractors, or are united in interest, is examined by the adverse party, the other of such plaintiffs or defendants may offer themselves as witnesses to the same cause of action or defence, and shall be so received."

We refer particularly now to these articles of the American act, because they have a very decided bearing on the subject of reform in Chancery pleading, and because the new forms of proceeding directed by this act singularly resemble the forms that we endeavoured, in a recent Number of THE JURIST, to sketch out for proceedings in equity in this country; so much so, indeed, that, if the publication of our suggestions had not preceded the receipt by us of a copy of the American act, we should have been fearful of exposing ourselves to the charge of plagiarism. As it is, we see, with great satisfaction, that a system of pleading in equity, so closely resembling that which we have advocated, has been actually adopted by the Legislature of a people, of whom it cannot, at any rate, be said, that they are either unpractical or unmindful of their own interests.

In considering the sixth title of the American act, in reference to its application to equity pleading, it will be perceived that it does exactly what we have recommended for our equity pleading. It substitutes for the allegations, charges, and interrogatories of a bill, a plain statement of the facts constituting the plaintiff's cause of action, specially directing that it shall be in ordinary and concise language, and without repetition. With reference to the defence, it requires, as we suggested, that the defendant shall answer the allegations generally or specifically; by which is meant, no doubt, that he shall answer as substantially as if he were interrogated; and, indeed, to this point is probably addressed the 152nd section, that sham answers and defences may be stricken out on motion. The special examination of a defendant, which we proposed to leave, in certain cases, to be dealt with by interrogatories, is supplied, in the American act, by the power given to examine the parties to a suit—a power which has been tried, and has worked very well, in our county courts, and which, we believe, would be found to forward the ends of justice, if applied, both in equity and at common law, in the superior courts. The substantial change, then, which will be effected by the American act, as regards equitable procedure, will be to substitute for the bill and interrogatories, which pleaders are by custom compelled to make lengthy, a concise statement of facts, specially directed by the Legislature to be concise; to abolish pleas; to allow no defence but by way of either demurrer or answer; and to maintain the jurisdiction to ransack the conscience of parties, as it is termed, by making them liable to be examined, and extending this examination, very properly, as we think, to the plaintiff as well as the defendant. The new form of pleading, of its nature, tends to much greater brevity than the present forms; and in aid of this tendency is that which is the pith and marrow of the act—an express direction, that statements shall be concise, and in ordinary language. We have not ourselves the slightest doubt, that a change, of a similar character, in our equity proceedings, would work well, both for the public and the Profession; and we hope to see it, before long, brought to the attention of the Legislature.

There is much more in the American act to which we may hereafter call attention; but, as the genius of the people of the country is for bit-by-bit reform in law, as in everything else, we do not desire at present to prejudice the cause of reform in equity procedure, by entangling our readers in the consideration of any sweeping alteration of the jurisdiction and procedure of courts generally. We content ourselves with attacking the one clear evil of a ponderous, intricate, and intensely verbose system of Chancery pleading; and in urging the adoption of forms which, if they are at first startling from their simplicity, will become more apparently applicable the more they are considered.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN, *June* 8.—F. H. Elwin, Esq.; E. T. Wakefield, Esq., B. A.; J. J. Stutzer, Esq., M. A.; J. H. Brasier, Esq., M. A.; G. S. Fagan, Esq., B. A.; H. J. Wilkinson, Esq., M. A.; W. E. Jones, Esq., M. A.; P. H. Pepys, Esq., M. A.; Samuel Scott, Esq.; F. W. Burnett, Esq., M. A.

INNER TEMPLE.—G. W. Tucker, Esq., B. A.; J. H. Brand, Esq., D. C. L.; H. W. Sharpe, Esq., B. A.; W. Franklin, Esq., B. A.; E. Rushton, Esq., B. A.; D. Ainsworth, Esq., S. C. L.; T. Brooksbank, Esq., B. A.; T. S. MacGachen, Esq.; T. Horrocks, Esq.; R. Barton, Esq., B. A.; E. A. A. Moriarty, Esq., B. A.; R. Pring, Esq.; R. A. Cross, Esq., B. A.; B. B. Haworth, Esq., B. A.; C. E. Murray, Esq.

MIDDLE TEMPLE.—Edward Smith, Esq.; Henry Scotland, Esq.; G. E. Honyman, Esq.; W. S. Gawtress, Esq.; E. H. Reed, Esq.; Harrison Dalton, Esq., B. A.; the Hon. George Waldegrave; Henry Pering Pellew Crease, Esq., B. A.; William W. Manning, Esq.; Thomas Rust, Esq.; Henry Shaw Holford, Esq.; James Spittall, Esq.; Charles Robert Telfair, Esq.; John Lucie Smith, Esq.

GRAY'S INN, *June* 6.—Sir George Stephen; Thomas Hughes Greenland, Esq.

GRAY'S INN.—At a numerous meeting of the Benchers and Members of this Society, on Tuesday, the 12th June, the following students for the Bar were declared to have distinguished themselves in the voluntary examination for honours in the Law of Real Property, in the hall of this Society, on Thursday, the 7th instant, and were classed in the following order:—

George Horsey, Gray's Inn 1
John Stewart Cumming, Lincoln's Inn } Æquales 2
William Whittaker Barry, Lincoln's Inn }
Richard Denny Urling, Middle Temple 3
Thomas Halhed Fisher, Lincoln's Inn } Æquales 4
Hen. Lushington Phillips, Middle Temple }
Robert Hallett Holt, Lincoln's Inn 5

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CIRCUITS OF THE JUDGES.

(*Lord* DENMAN *will remain in Town*).

SUMMER CIRCUITS, 1849.	NORFOLK.	HOME.	MIDLAND.	NORTHERN.	N. WALES.	S. WALES.	OXFORD.	WESTERN.
	L. C. J. Wilde J. Coltman	L C B Pollock B. Alderson	B. Parke J. Coleridge	J. Patteson J. Wightman	J. Maule	B. Platt	B. Rolfe J. Erle	J. Cresswell J. Williams
Monday, *July* 9	.....	.....	.....	.....	.....	.....	Abingdon	.....
Tuesday 10	.....	Hertford	.....	.....	.....	.....	.....	Winchester
Wednesday.. 11	.....	.....	Oakham N'thampt.	York & City	.....	Cardiff	Oxford	.....
Thursday ... 12	Aylesbury	.....	.....	.....	.....	.....	.....	.....
Saturday.... 14	.....	.....	Lincoln and	.....	Newtown	.....	Worcester &	Dorchester
Monday 16	Bedford	Chelmsford	[City	.....	.....	.....	[City	.....
Tuesday 17	.....	.....	.....	.....	.....	Carmarthen	.....	.....
Wednesday.. 18	.....	.....	Nottingham	.....	Dolgelly	.....	.....	Exeter & City
Thursday ... 19	Huntingdon	.....	[& Town	.....	.....	.....	Stafford	.....
Friday..... 20	Cambridge	.....	Derby	.....	Carnarvon	.....	.....	.....
Saturday ... 21	.....	.....	.....	.....	.....	Haverford-	.....	.....
Monday 23	.....	Maidstone	.....	.....	.....	[west & Tn.	.....	.....
Tuesday 24	.....	.....	Leicest. & B.	.....	.....	.....	.....	.....
Wednesday.. 25	Norwich and	.....	.....	Durham	Beaumaris	Cardigan	.....	Bodmin
Thursday ... 26	[City	.....	.....	.....	.....	.....	Shrewsbury	.....
Friday..... 27	.....	.....	Coventry	.....	.....	.....	.....	.....
Saturday ... 28	.....	.....	Warwick	.....	Ruthin	Brecon	.....	.....
Monday 30	.....	Lewes	.....	Newcastle &	.....	.....	.....	.....
Tuesday 31	Ipswich	.....	.....	[Town	.....	.....	Hereford	Bridgewater
Wednesd. *Aug.* 1	.....	.....	.....	.....	Mold	Presteign	.....	.....
Thursday ... 2	.....	.....	.....	Carlisle	.....	.....	.....	.....
Friday..... 3	.....	.....	.....	.....	.....	.....	Monmouth	.....
Saturday.... 4	.....	.....	.....	.....	Chester and	Chester and	.....	.....
Monday 6	.....	Croydon	.....	Appleby	[City	[City	.....	Devizes
Tuesday 7	.....	.....	.....	.....	.....	.....	Gloucester &	.....
Wednesday.. 8	.....	.....	.....	Lancaster	.....	.....	[City	.....
Saturday ... 11	.....	.....	.....	Liverpool	.....	.....	.....	Bristol

London Gazettes.

TUESDAY, JUNE 12.

BANKRUPTS.

LEWIS PESMAN CAPUA, Duke's-pl., Aldgate, London, fruit merchant, dealer and chapman, June 20 at 1, and July 25 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Marten & Co., Commercial Sale-rooms, Mincing-lane, City.—Fiat dated June 9.

GAVEN MORTON, New-road, Whitechapel-road, Middlesex, draper, June 19 at 12, and July 24 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Eade, 10, Staple-inn.—Fiat dated June 9.

WILLIAM ORCHARD, West Smithfield, London, and Hornsey, Middlesex, rick, tent, and marquee manufacturer, (trading under the firm of Edward Orchard & Co.), June 18 at half-past 1, and July 23 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Lawrance & Plews, Old Jewry-chambers.—Fiat dated June 5.

JOHN WRIGHT, Northampton, carrying on business at Union-wharf, Northampton, and at Grand Junction-wharf, Hardingstone, Northamptonshire, corn and coal merchant, and at Birmingham, baker and flour dealer, dealer and chapman, June 21 at half-past 1, and July 23 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Pittendreigh & Stevenson, South-sq., Gray's-inn.—Fiat dated June 11.

THOMAS INGLIS, New-st., St. Martin's-in-the-Fields, Middlesex, baker, dealer and chapman, June 22 at 12, and July 25 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. Freeman & Co., Brighton; Tilleard & Co., 34, Old Jewry.—Fiat dated June 9.

GEORGE HENRY BORE, Stanway, Essex, surgeon and apothecary, dealer and chapman, June 20 at half-past 12, and July 12 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Abell, Colchester; Bull, Ely-place.—Fiat dated June 9.

THOMAS ALLEN, Great Suffolk-st., Southwark, Surrey, Birmingham and Sheffield warehouseman, dealer and chapman, June 22 at 1, and July 24 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Welborne, 31, Tooley-st., Southwark.—Fiat dated June 7.

THOMAS SLOPER, St. Ann's-pl., Limehouse, Middlesex, auctioneer, dealer and chapman, June 19 at 1, and July 24 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Buchanan, 8, Basinghall-st.—Fiat dated June 9.

WILLIAM PROSSER MARTIN, Bath, wine and spirit merchant, and brewer, dealer and chapman, June 26 and July 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. W. & C. Bevan, Bristol; White & Co., Bedford-row.—Fiat dated June 7.

WILLIAM SODEN, Gloucester, ship broker and commission agent, June 26 and July 24 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Lovegrove, Gloucester; Abbot, Bristol.—Fiat dated June 7.

WALTER ROBERT SUTTON, Hotwells, Clifton, Bristol, chemist and druggist, dealer and chapman, June 26 and July 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Ayre, jun., Bristol; Boykett, Chancery-lane, London.—Fiat dated June 6.

WILLIAM MADDOX, Liverpool, tailor and draper, dealer and chapman, (carrying on business under the name, style, or firm of Maddox & Co., formerly carrying on business as a tailor and draper, in Bold-st., Liverpool, with Francis Vane, under the name, style, or firm of Maddox & Vane), June 26 and July 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Pemberton, Liverpool; Cornthwaite & Co., Old Jewry-chambers, London.—Fiat dated June 9.

WILLIAM HENRY SUTER, Liverpool, ship broker and commission agent, dealer and chapman, June 29 and July 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Neale, Liverpool; Mourilyan & Co., Gray's-inn, London.—Fiat dated June 9.

HENRY HENSHALL, formerly of Bury, Lancashire, and Stockport, Cheshire, licensed victualler, dealer and chapman, but now of Kendal, Westmoreland, chief constable, June 21 at 12, and July 24 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. T. & E. Harrison, Kendal; Hoyle, Newcastle-upon-Tyne.—Fiat dated May 19.

MEETINGS.

Tilden Chrismas, Isle of Harty, Kent, brewer, July 5 at 1, Court of Bankruptcy, London, last ex.—*John Steele*, Newcastle-upon-Tyne, innkeeper, June 18 at 1, District Court of

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Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thos. Marsom*, South-place, Finsbury, Middlesex, dealer in horses, July 4 at half-past 11, Court of Bankruptcy, London, and. ac.—*Isaac Jones* and *Mary Browne*, High-row, Knightsbridge, Middlesex, lead merchants, July 5 at 2, Court of Bankruptcy, London, and. ac.—*Wm. Mells* and *John Turley*, Manchester, tailors, July 5 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Thomas Cartwright*, Heaton Norris, Lancashire, banker, July 5 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Thomas Cole* and *Wm. Mountcastle*, Manchester, silk manufacturers, July 5 at 11, District Court of Bankruptcy, Manchester, and. ac.—*William Waterman*, Brenchley, Kent, farmer, July 4 at 11, Court of Bankruptcy, London, div.—*Gabriel Gusterson*, Paradise-walk, Queen's-road West, Chelsea, Middlesex, builder, July 3 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Fred. Brain, Thomas-street, Stamford-street, Blackfriars, Surrey, guano manufacturer, July 4 at 11, Court of Bankruptcy, London.—*Wm. Stevens*, Acton-street, Gray's-inn-road, Middlesex, builder, July 3 at 11, Court of Bankruptcy, London.—*Thomas Marsom*, South-place, Finsbury, Middlesex, dealer in horses, July 4 at half-past 11, Court of Bankruptcy, London.—*Charles Lee*, Marlborough-cottages, Marlborough-road, St. John's-wood, Middlesex, jeweller, July 4 at 12, Court of Bankruptcy, London.—*Edward Gibson*, St. Alban's, Hertfordshire, banker, July 3 at 12, Court of Bankruptcy, London.—*Stephen Keen* and *Wm. Langford*, John-street, Pentonville, Middlesex, brewers, July 3 at 11, Court of Bankruptcy, London.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 3.

Andrew P. Halliday and *Eliza Paton*, Cornbrook, Hulme, Manchester, manufacturing chemists.—*Thomas Floyd*, Wendover, Buckinghamshire, cattle dealer.—*Henry Ridsdale* and *H. C. S. Chauncy*, Liverpool, share brokers.—*Henry Fenwick*, Liverpool, banker.—*Wm. H. Pitt*, York-place, Pentonville, Middlesex, engineer.—*James Rogers*, Northumberland-street, Strand, Middlesex, Italian warehouseman.—*Geo. S. Y. Bricknell*, Cheltenham, Gloucestershire, coach proprietor.—*Thos. Nixon Kerr*, Biggleswade, and Holme-mills, Southill, Bedfordshire, miller.—*John Nash*, Globe-wharf, Rotherhithe, Surrey, and Reed-farm, Strood, Kent, timber merchant.—*Alfred Edan*, Hatton-garden, Middlesex, foreign provision merchant.—*John Downs*, Newcastle-under-Lyme, Staffordshire, fishmonger.

FIAT ANNULLED.

Edwin T. Gough, Edmonton, Middlesex, boarding-house keeper.

SCOTCH SEQUESTRATIONS.

John Gray, Perth, grocer.—*James Watt*, Crosshill, and Dalmellington, Ayrshire, tailor.—*Evan B. Fraser*, Inverness, dealer in shares.

DECLARATION OF INSOLVENCY.

R. T. Willey, Sutton-in-the-Marsh, Lincolnshire, farmer, July 4 at 12, County Court of Lincolnshire, at Spilsby.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Anne Rice, Neath, Glamorganshire, grocer, June 22 at 10, County Court of Glamorganshire, at Neath.—*Mark Anthony Robinson*, York, chemist, June 27 at 4, County Court of Yorkshire, at York.—*James Wright*, Strensall, Yorkshire, blacksmith, June 27 at 4, County Court of Yorkshire, at York.—*Joseph Scott*, Tanshelf, Pontefract, Yorkshire, engineer, June 27 at 10, County Court of Yorkshire, at Pontefract.—*Wm. John Clapcott*, Ryde, Isle of Wight, Hampshire, cabinet maker, June 29 at 10, County Court of Hampshire, at Portsmouth.—*D. Freeman*, East Retford, Nottinghamshire, carpenter, July 4 at 11, County Court of Nottinghamshire, at East Retford.—*Thos. W. W. Spear*, Sheerness, Kent, clerk in the Royal Navy, June 16 at 10, County Court of Kent, at Sheerness.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 26 at 11, *before Mr. Commissioner* HARRIS.

Wm. H. Marsh, Bath-place, New-road, Middlesex, retailer of beer.—*Henry Widdicomb*, Great Ormond-street, Queen's-square, Middlesex, comedian.—*John Price*, St. Margaret's-court, High-st., Borough, Surrey, licensed victualler.

June 27 at 11, *before the* CHIEF COMMISSIONER.

Wm. Tutin Haycraft, Valentine-terrace, Blackheath-road, Greenwich, Kent, doctor of medicine.—*Henry Austin*, White-cross-st., London, solicitor's clerk.

June 27 at 10, *before Mr. Commissioner* LAW.

James Dabbs, Saint John-street, Clerkenwell, Middlesex, licensed victualler.

June 28 at 11, *before the* CHIEF COMMISSIONER.

James Colman, Saint Michael's-alley, Cornhill, London, hairdresser.—*Edward Yerlett* the younger, Manchester-street, Argyle-square, New-road, Middlesex, carpenter.

June 28 at 10, *before Mr. Commissioner* LAW.

David Stevens the younger, Regent-terrace, Solmord-lane, Limehouse, Middlesex, clerk to a wine merchant.—*Robert Old*, Leytonstone, Essex, surveyor of shipping.

Saturday, June 9.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Rich. Wm. Wall, Lloyd's-court, Crown-st., Soho, Middlesex, dairyman, No. 60,701 T.; Edward Coe, assignee.—*Jos. Fletcher*, Liverpool, colour maker, No. 70,482 C.; William Musgrave, assignee.—*Jos. Routledge*, Liverpool, victualler, No. 70,985 C.; William Daniels, assignee.—*Edward Batty*, Leeds, Yorkshire, brewer, No. 70,604 C.; Joseph Drake, assignee.—*Wm. Baldwin*, Ruardean, Gloucestershire, gamekeeper, No. 70,666 C.; Henry Edward Coleman, assignee.—*Batty Easton*, Leeds, Yorkshire, horse dealer, No. 71,007 C.; Robert Warwood, assignee.—*David Williams*, Merthyr Tydvil, Glamorganshire, innkeeper, No. 70,631 C.; John Thomas, assignee.

Saturday, June 9.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Hen. Hincks Harper, Carlisle-st., Soho-square, Middlesex, commission agent: in the Queen's Prison.—*Sam. Goddard Carrell*, Caroline-cottages, St. Ann's-road, Brixton, Surrey, appraiser: in the Gaol of Horsemonger-lane.—*John Hughes*, Hasker-st., Chelsea, Middlesex, packer at the Stamp-office, Somerset-house: in the Debtors Prison for London and Middlesex.—*John Atkinson*, Deverell-st., Dover-road, Southwark, Surrey, commission traveller: in the Debtors Prison for London and Middlesex.—*John Stubbs*, Spring-st., Cambridge-terrace, Edgeware-road, Middlesex, out of business: in the Queen's Prison.—*Thomas Holliday*, Princes-st., Haggerstone, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Emily Whitaker*, Thistle-grove, New Brompton, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Jas. Barber*, Britannia-street, City-road, Middlesex, cloth-worker: in the Queen's Prison.—*Benjamin Hope*, Thavies-inn, London, also of Ely-place, Holborn, Middlesex, attorney-at-law: in the Queen's Prison.—*Francis Perryman*, Mortimer-st., Cavendish-square, Middlesex, carver: in the Debtors Prison for London and Middlesex.—*Isaac Saunders*, Richmond, Surrey, licensed victualler: in the Debtors Prison for London and Middlesex.—*Jas. Mitchell*, Hornsey Nursery, Hornsey, Middlesex, nurseryman: in the Debtors Prison for London and Middlesex.—*Wm. Lempriere*, University-st. Gower-st., Bedford-square, Middlesex, commission traveller for the sale of grocery: in the Debtors Prison for London and Middlesex.—*John Horden*, Bentley-crescent, Ball's-pond-road, Islington, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Nathan Hammond*, Jubilee-place, Stepney, Middlesex, general agent: in the Debtors Prison for London and Middlesex.—*Jas. Owen*, Hoxton-square, Shoreditch, Middlesex, upholsterer's shopman: in the Debtors Prison for London and Mid-

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dlesex.—*Wm. Scales*, Upper Ashby-st., Goswell-road, Middlesex, licensed victualler: in the Queen's Prison.—*Thomas Edlyne Tomlins*, Park-st., Islington, Middlesex, and Barnard's-inn, London, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Edw. Frank Chas. Mainwaring*, Woodland-place, North-hill, Highgate, Middlesex, following no trade: in the Debtors Prison for London and Middlesex.—*Thos. Casson*, Soutergate, Ulverston, Lancashire, saddler: in the Gaol of Lancaster.—*Joseph Griffin*, Weston, near Bath, Somersetshire, farmer: in the Gaol of Wilton.—*Thos. Johnson*, Stretton-upon-Dunsmore, Warwickshire, farmer: in the Gaol of Coventry.—*Nathan Lee*, Toxteth-park, Liverpool, painter: in the Gaol of Lancaster.—*John Parkinson*, Green Bank, Salford, Lancashire, provision dealer: in the Gaol of Lancaster.—*Peter Ryder* the younger, Droylsden, near Ashton-under-Lyne, Lancashire, brickmaker: in the Gaol of Lancaster.—*Robt. Wilkinson*, Clitheroe, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Jas. Brown*, Barlborough, Derbyshire, farmer: in the Gaol of Radford Peverel.—*Hen. Game Clapton*, Basingstoke, Hampshire, shopman to a general dealer: in the Gaol of Winchester.—*William Dee*, Oxford, bootmaker: in the Gaol of Oxford.—*James Oakes*, Pendleton, near Salford, Lancashire, butcher: in the Gaol of Lancaster.—*Peter Roberts*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Jas. Simister*, Hulme, Manchester, provision dealer: in the Gaol of Lancaster.—*William Thew*, Alnwick, Northumberland, grocer: in the Gaol of Morpeth.—*Thomas Watkinson*, Liverpool, joiner: in the Gaol of Lancaster.—*William Butt*, Winchester, Hampshire, shoemaker: in the Gaol of Winchester.—*David Hughes*, Pentrefelin, near Llangollen, Denbighshire, labourer: in the Gaol of Ruthin.—*Thomas Price*, Colchester, Essex, banker's clerk: in the Gaol of Springfield.—*Robert Halmshaw*, Dewsbury, Yorkshire, innkeeper: in the Gaol of York.—*John Shepley Lister*, Four-lane-ends, Norton, Derbyshire, draper: in the Gaol of Radford Peverel.—*Wm. Morton*, Harrogate, Yorkshire, shopkeeper: in the Gaol of York.—*Thos. Seed*, Lancaster, wheelwright: in the Gaol of Lancaster.—*John Tulloch Fisher*, East India-road, Poplar, Middlesex, timber merchant: in the Gaol of Chelmsford.—*Wm. Clarke*, Nelson-st., Greenwich, Kent, attorney at law: in the Gaol of Maidstone.—*Jeremiah Hall*, Ardwick, Manchester, butcher: in the Gaol of Lancaster.—*Rich. Standing*, Waddington, near Clitheroe, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Anthony Guidice*, Birmingham, brace manufacturer: in the Gaol of Warwick.—*James Wallwork*, Bury, Lancashire, in no business: in the Gaol of Lancaster.—*John Williams*, Caedraw, Merthyr Tydvil, Glamorganshire, grocer: in the Gaol of Cardiff.—*Thos. Oldham*, East Bridgford, Nottinghamshire, tailor: in the Gaol of Nottingham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 27 at 10, before Mr. Commissioner LAW.

Walter Ephraim Goalley, Trevor-square, Brompton, Middlesex, attorney.—*J. Sills*, Clerkenwell-close, Clerkenwell-green, Middlesex, out of business.—*Jos. Woodward*, Grosvenor-row, Pimlico, Middlesex, out of business.

June 28 at 10, before Mr. Commissioner LAW.

John Hughes, Hasker-st., Chelsea, Middlesex, packer in the Stamp-office, Somerset-house.—*Wm. Baker Aird*, Ingrave, near Brentwood, Essex, out of business.

June 28 at 10, before Mr. Commissioner PHILLIPS.

Pierre Adolph Duhart Fauvel, Park-st., Battersea, Surrey, clerk to a bookseller.—*John Keymer*, Park-place, Peckham, Surrey, printer.—*Geo. Forey*, Whitecross-st., London, lamp-cotton maker.—*Wm. Matthew Milton*, Vine-cottage, Bsook-green, Hammersmith, Middlesex, buying and selling horses on commission..

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, *June 27.*

Wm. Butt, Southampton, shoemaker.—*Henry Game Clapton*, Basingstoke, shopman to a tobacconist.

At the County Court of Yorkshire, at YORK CASTLE, *June 27 at 4.*

Hezekiah Carlton, Beeston, near Leeds, out of business.—*Jas. Atkinson*, Leeds, out of business.—*J. Wainhouse*, Pentpitts, Ovenden, near Halifax, innkeeper.—*Benj. Horsfield*, Barnsley, out of business.—*Jos. Dyson*, Hopton, Mirfield, near Dewsbury, manufacturer.—*Jonas Horsfall*, Bradford, out of business.—*Jos. Simpson*, Low Harrogate, out of business.—*Robert Snowden*, Kirk Deighton, near Wetherby, out of business.—*Abraham Craven*, Burmandtofts, Leeds, assistant to a cloth manufacturer.—*Benj. Leach*, Thornton, near Skipton, foreman to railway contractors.—*Benj. Lockwood*, Shade-hill, Sheffield, flour dealer.—*Sam. Swaby*, Doncaster, fishmonger.—*David Toyne*, Steel-bank, Sheffield, out of business.—*John Hill*, Staithes, near Guisborough, out of business.—*C. Labron*, Bishopthorpe, out of business.—*Jos. Elsworth*, Pedsey Low Town, near Leeds, out of business.—*John Layton*, Leeds, fruiterer.—*Thos. Clark*, Morley, near Leeds, out of business.—*Thos. Errington*, Leeds, out of business.—*Rich. Surtees*, Doncaster, woodman.—*W. Parker*, Briggate, Leeds, manager to a coffee-house keeper.

At the County Court of Northumberland, at MORPETH, *June 29 at 1.*

Wm. Thew, Alnwick, agent to the Farmers' and General Fire and Life Insurance and Loan and Annuity Company.

At the County Court of Essex, at CHELMSFORD, *June 29 at 12.*

Wm. Bretton the elder, Great Easton, out of business.—*Jas. Boswell*, West Ham, curate of the District Church of St. Philip, Stepney, Middlesex.—*Geo. Watson*, Great Easton, out of business.—*Thos. Price*, Colchester, out of employment.—*John Tulloch Fisher*, East India-road, Poplar, Middlesex, timber merchant.—*Augustus Wm. Bode*, Great Waltham, gentleman.

INSOLVENT DEBTORS' DIVIDENDS.

George White, Marlborough-place, Greenwich, Kent, dry-salter: 2*s.* in the pound.—*Wm. Capel Clayton*, Esq., Castle-st., Holborn: 3*s.* 6*d.* in the pound.—*Philip Brown*, Bunhill-row, Middlesex, coffee-house keeper: 3*s.* 8*d.* in the pound.—*Henry Priston*, St. Thomas the Apostle, Devonshire, builder: 1*s.* 3½*d.* in the pound.—*Rich. Hardman*, Kirkham, Lancashire, blacksmith: 4*s.* 6*d.* in the pound.—*Thos. Brock*, Liverpool, druggist: 1*s.* 1½*d.* in the pound.—*Alex. Carroll* the younger, Stamford-st., Blackfriars-road, Surrey, gentleman: 2*s.* 7*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

FRIDAY, JUNE 15.

INSOLVENT.

RICHARD WILLIAMS, Brecon, butcher.

BANKRUPTS.

CHARLES LAMDIN, Newbury, Berkshire, upholsterer, and dealer in Berlin wool, June 26 at 1, and July 26 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons.—Fiat dated June 13.

CHARLES CARTER, Rochford, Essex, ironmonger, commission agent, dealer and chapman, June 27 and July 25 at 1, Court of Bankruptcy, London: Off. Ass. Stanfield; Sol. Digby, 1, Circus-place, Finsbury-circus.—Fiat dated June 12.

MARK LEPPINGWELL MUNSON, Hadleigh, Suffolk, victualler and innkeeper, dealer and chapman, June 25 at 2, and July 30 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Bell, Ely-place.—Fiat dated June 13.

THOMAS BINNING, Pulford-street, Pimlico, Middlesex, (late of the White Lion Public-house, St. Alban's-place, Haymarket, Middlesex), victualler, dealer and chapman, June 25 at half-past 1, and July 30 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Melton, Bedford-row.—Fiat dated June 12.

THOMAS BARRETT, Oxford, timber merchant, June 26 at half-past 11, and July 30 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Messrs. Meymott, Blackfriars-road.—Fiat dated June 6.

EDWARD MUNN, late of Bathurst-mews, Middlesex, corn dealer, but now of Stone Farm, Beckenham, and Deptford-bridge, Kent, farmer and corn dealer, dealer and chapman, June 26 at 3, and July 26 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Smith, Barnard's-inn, Holborn.—Fiat dated June 14.

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JOSEPH GADD, Harefield, Middlesex, coal merchant, dealer and chapman, June 22 at half-past 12, and July 28 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Rowell, Rickmansworth; Abbott & Co., New-inn.—Fiat dated June 11.

WILLIAM WATSON, Craven-street, Strand, Middlesex, wine merchant, dealer and chapman, June 23 at 1, and July 26 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Bolden, Craven-street, Strand.—Fiat dated June 13.

CHARLES BROCKLESBY, Charlotte-street, Fitzroy-sq., Middlesex, tailor, June 28 at half-past 12, and July 26 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Hopwood, Chancery-lane.—Fiat dated June 4.

JOHN UNDERWOOD, Bury St. Edmund's, Suffolk, mealman, dealer and chapman, June 26 at 2, and July 26 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Wilde & Co., 21, College-hill, Queen-street.—Fiat dated June 4.

ANTHONY KNIGHT, Westmeon, Southampton, miller, June 26 at half-past 2, and July 26 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Dunn & Co.. *Alresford*, Hampshire; Husey & Co., 2, New-inn, Strand. —Fiat dated June 14.

JOHN ROBERT WRIGHT, Leeds, Yorkshire, *currier*, (and not *carrier*, as before advertised), dealer and chapman, June 21 and July 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Cariss & Cudworth, Leeds; Hartley, Southampton-st., London.—Fiat dated June 6.

FRANCIS HALLEY, Shiffnal, Shropshire, builder, June 26 and July 31 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Glover, Shiffnal; Motteram & Co., Birmingham.—Fiat dated June 2.

JOHN HARRISON, Loughborough, Leicestershire, clothier, tailor, grocer, dealer and chapman, June 29 and July 27 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Cowley, Nottingham.—Fiat dated June 8.

PETER CHALONER, Clirow, Radnorshire, innkeeper and maltster, auctioneer, dealer and chapman, June 28 and July 26 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller: Sols. Brittan & Sons, Bristol; Pugh, Hay, Breconshire.—Fiat dated June 9.

THOMAS BAMFORD, Little Town, Wardle, Rochdale, Lancashire, woollen manufacturer and farmer, June 26 and July 17 at 12, District Court of Bankruptcy, Manchester; Off. Ass. Pott; Sols. Heaton, Rochdal; J. and W. Norris, Manchester; Norris & Co., 20, Bedford-row, London.—Fiat dated June 2.

JOSEPH NICHOLSON, formerly af Lane Head Sparket, Greystoke, Cumberland, and late of Jenkin Cragg, Scalthwaiterigg Hay, Kendal, Westmoreland, drover, cattle and sheep salesman, dealer and chapman, June 21 and July 19 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne; Off. Ass. Wakley; Sols. W. & E. Bleaymire, Penrith; Preston & Brown, Newcastle-upon-Tyne; Bell & Co., Bow-church-yard, London.—Fiat dated May 15.

MEETINGS.

Benj. Hart Thorold, Harmston, Lincolnshire, and Harlesden-green, Willesden, Middlesex, dealer and chapman, June 27 at 12, Court of Bankruptcy, London, pr. d.—*J. Phillipps*, Upper Bullingham, Herefordshire, banker, July 7 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*George Simons*, King's-square, Goswell-road, St. Luke's, Middlesex, watch manufacturer, June 26 at 1, Court of Bankruptcy, London, last ex.—*Geo. Burdis*, Newcastle-upon-Tyne, banker, July 10 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Alfred Westley*, Holme-mills, Southill and Biggleswade, Bedfordshire, miller, July 6 at half-past 11, Court of Bankruptcy, London, aud. ac.—*D. Smith* and *F. D. Smith*, Bevor-lane, Hammersmith, Middlesex, drysalters, July 10 at 11, Court of Bankruptcy, London, aud. ac. —*Thos. Nixon Kerr*, Biggleswade, and Holme-mills, Southill, Bedfordshire, miller, July 10 at 11, Court of Bankruptcy, London, aud. ac.—*Robt. Barnes*, Woodbridge, Suffolk, innkeeper, July 10 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Crofts*, Strand, Middlesex, coffee-house keeper, July 11 at 11, Court of Bankruptcy, London, aud. ac.—*H. Hyland*, Ewhurst, Sussex, grocer, July 10 at 1, Court of Bankruptcy, London, aud. ac.—*John Wiggins*, Greenwich, Kent, bookseller, July 9 at 11, Court of Bankruptcy, London, aud. ac. and div.—*Peter Kagenbusch* and *W. Yerbury Dent*, Leeds, Yorkshire, manufacturing chemists, July 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Thomas Storry*, Scarborough, Yorkshire, printer, July 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, div.—*Samuel Smith* and *Wm. Smith*, Warley, Halifax, Yorkshire, worsted spinners, July 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Hugh Parker*, *Offley Shore*, *J. Brewin*, and *J. Rodgers*, Sheffield, Yorkshire, bankers, July 7 at 10, District Court of Bankruptcy, Leeds, aud. ac. sep. est. of *Hugh Parker*.—*John Blackburn*, Hulme, Lancashire, builder, July 12 at 11, District Court of Bankruptcy, Manchester, aud. ac.; July 13 at 11, div.—*Thos. Merrill* and *Chas. Benson*, Salford, Lancashire, typefounders, July 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 17 at 12, div.—*James Scott*, Manchester, shoe dealer, July 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 17 at 12, div.—*Mark Cooke* and *Wm. Hen. Cooke*, Denton, Lancashire, hat manufacturers, July 9 at 1, District Court of Bankruptcy, Manchester, aud. ac.; July 10 at 12, div.—*Fred. Cook*, Southernhay, Exeter, upholsterer, July 18 at 11, District Court of Bankruptcy, Exeter, aud. ac.; July 19 at 1, div.—*Geo. Barras*, Newcastle-upon-Tyne, wine merchant, July 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; July 12 at 12, div.—*Thos. Core*, Stamford, Lincolnshire, wine merchant, July 6 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Rich. Bullock*, Kidderminster, Worcestershire, corn factor, July 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; July 26 at 12, div.—*J. Taverner*, Nuneaton, Warwickshire, draper, July 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; July 19 at 12, div.—*Geo. Newbold*, Longton, Stoke-upon-Trent, Staffordshire, mercer, July 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; July 26 at 12, div.—*John Hall*, Shrewsbury, Shropshire, timber merchant, July 7 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*W. Palmer*, Birmingham, maltster, July 25 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; July 26 at 12, div.—*William Bourne Bird*, Bewdley, Worcestershire, chemist, July 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*E. J. Coates* and *J. Hillard*, Bread-street, Cheapside, London, Manchester, Liverpool, Leicester, England, and New York, America, merchants, July 10 at 12, Court of Bankruptcy, London, div.—*J. Benstead*, Fleet-st., London, hosier, July 10 at half-past 11, Court of Bankruptcy, London, fin. div.—*Wm. Shackell*, Regent's-canal, and Hammersmith, Middlesex, coal-tar manufacturer, July 9 at 11, Court of Bankruptcy, London, div.—*Fred. Chaplin* and *Wm. Henry Chaplin*, Bishop's Stortford, Hertfordshire, tanners, July 9 at 12, Court of Bankruptcy, London, div.—*Wm. Lancelot Kelly*, Newport, Monmouthshire, bookseller, July 9 at half-past 12, Court of Bankruptcy, London, div.—*Charles O'Neil*, Newman-st., Oxford-st., picture dealer, *Robert Salkeld*, Fontmell Magna, clerk, and *G. S. Digby*, Esq., Bishop's Caudle, Dorsetshire, (lately carrying on business at the Brinder Works, near Margam, Glamorganshire, as ironfounders), July 9 at half-past 11, Court of Bankruptcy, London, fin. div. sep. est. of *R. Salkeld*. —*William Clunes*, Brydges-street, Covent-garden, Middlesex, pawnbroker, July 9 at half-past 12, Court of Bankruptcy, London, div.—*F. R. G. Smith*, Harwood-street, Camden-town, Middlesex, clerk in a Government-office, July 9 at 12, Court of Bankruptcy, London, div.—*John Cramer Chappell*, Great Marlborough-st., Middlesex, surgeon, July 12 at 1, Court of Bankruptcy, London, div.—*Wm. Wilkins* and *John E. Evans*, Trowbridge, Wiltshire, woollen drapers, July 11 at half-past 11, Court of Bankruptcy, London, div. sep. est. of *J. E. Evans*.—*J. Johnson* the younger, Uxbridge, Middlesex, and Iver, Buckinghamshire, farmer, July 6 at 12, Court of Bankruptcy, London, div.—*Jas. Robinson*, Slough, Buckinghamshire, grocer, July 6 at 12, Court of Bankruptcy, London, div.—*J. H. Arnold* and *W. H. Woollett*, Clement's-lane, London, ship agents, Aug. 14 at 11, Court of Bankruptcy, London, div.—*Wm. Thornley*, Ripley, Derbyshire, grocer, July 6 at 10, District Court of Bankruptcy, Nottingham, aud. ac.; July 13 at 10, div.—*Thos. Cartwright*, Heaton Norris, Lancashire, banker, July 6 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Wm. Mells* aud *John Turlay*, Manchester, tailors, July 6 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Thomas Cole* and *Wm. Mountcastle*, Manchester, silk manufacturers, July 6 at 11, District Court of Bankruptcy, Manchester, fin. div.—*H. Cowan*, Stockton-upon-Tees, Durham, tailor, July 13 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

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CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Fred. J. Abiett, Merthyr Tydvil, Glamorganshire, draper, July 11 at half-past 12, Court of Bankruptcy, London.—*Alfred Westley*, Holme-mills, Southill and Biggleswade, Bedfordshire, miller, July 6 at half-past 11, Court of Bankruptcy, London.—*Thos. Smith* and *James Osborne*, Redcross-street, Southwark, Surrey, builders, July 7 at half-past 1, Court of Bankruptcy, London —*Henry Goring*, Hanwell, Middlesex, butcher, July 11 at 11, Court of Bankruptcy, London.—*Philipp S. C. Fäklé*, Upper North-place, Gray's-inn-road, Middlesex, tailor, July 10 at 11, Court of Bankruptcy, London.—*George Andrews*, King's Lynn, Norfolk, grocer, July 11 at 12, Court of Bankruptcy, London.—*William Whelton*, Sunderland-wharf, Rotherhithe, Surrey, timber merchant, July 6 at 12, Court of Bankruptcy, London.—*Thomas Fox*, West Cornforth, and Thrislington, near West Cornforth, Durham, coal merchant, July 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*W. Pitfield*, Tottington Lower-end, Lancashire, bleacher, July 6 at 11, District Court of Bankruptcy, Manchester.—*Thos. Davison*, Hunslet, Leeds, carriage builder, July 6 at 11, District Court of Bankruptcy, Leeds.—*George L. Richardson*, Liverpool, cutler, July 6 at 11, District Court of Bankruptcy, Liverpool.—*Fred. Cook*, Southernhay, Exeter, upholsterer, July 18 at 11, District Court of Bankruptcy, Exeter.—*John Taverner*, Nuneaton, Warwickshire, draper, July 7 at 12, District Court of Bankruptcy, Birmingham.—*James Vaughan*, Hereford, plumber, July 7 at 12, District Court of Bankruptcy, Birmingham.—*Thomas Bishop*, Marden, Herefordshire, cattle dealer, July 7 at 12, District Court of Bankruptcy, Birmingham.—*George Day*, Worcester, cattle dealer, July 10 at 10, District Court of Bankruptcy, Birmingham.—*John Jordan*, Birmingham, surgeon, July 10 at 10, District Court of Bankruptcy, Birmingham.— *Joseph Busst*, Walsall, Staffordshire, timber merchant, July 10 at 10, District Court of Bankruptcy, Birmingham.—*Walter Palmer*, Rugeley, and Etching-hill, near Rugeley, Staffordshire, corn merchant, July 10 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 6.

William Green, Birkenhead, Cheshire, auctioneer.—*John Bennett*, Hart-st., Bloomsbury, and High-st., Camden-town, Middlesex, artist.—*Henry Peet*, Ludgate-hill and Newgate-street, London, printer.—*Edw. Wm. Hunt*, Newgate-market, London, victualler.—*Thos. B. Wade*, Dudley, Worcestershire, grocer.—*Jas. Cooper*, Newcastle-under-Lyme, Staffordshire, smallware dealer.—*Wm. Lloyd*, Madeley and Wryne-hill, Staffordshire, linendraper.—*John Charretie*, Trinity-square, Southwark, Surrey, steel manufacturer.—*Christopher Pope* the younger, Newport, Monmouthshire, ship broker.—*Henry Hughes*, Dover, Kent, linendraper.

FIAT ANNULLED.

G. H. Lovegrove, West Ham Churchyard, Essex, auctioneer.

PARTNERSHIPS DISSOLVED.

Henry Maltby, *Rich. Beachcroft*, and *Wm. T. Robinson*, Old Broad-street, London, attornies and solicitors, (so far as regards the said *Rich. Beachcroft*).—*Wm. Pullen* and *George Finch*, Worcester, attornies at law.

SCOTCH SEQUESTRATIONS.

George A. Hamilton, Edinburgh, house painter.—*Matthew Brown*, Kilmarnock, shopman.—*Wm. M'Alpin*, Edinburgh, coach-lace manufacturer.—*Wm.* and *John Glen*, Edinburgh, wine merchants.—*John Stewart*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

J. Blanch, Bath, zinc-worker, June 23 at 12, County Court of Somersetshire, at Bath.—*Mark Hill* the elder, Willoughby, near Spilsby, Lincolnshire, farmer, July 4 at 12, County Court of Lincolnshire, at Spilsby.—*J. Edgar Robbins*, Langport, Somersetshire, innkeeper, July 16 at 11, County Court of Somersetshire, at Langport.—*John Burrows*, Eccleston, St. Helen's, Lancashire, publican, June 20 at 12, County Court of Lancashire, at St. Helen's.—*J. Forth* the younger, Castle Donington, Leicestershire, butcher, July 7 at 11, County Court of Leicestershire, at Loughborough.—*Ezekiel Thos. Rowe*, Stamford, Lincolnshire, upholsterer, July 9 at 2, County Court of Lincolnshire, at Stamford.—*John Wm. Lockwood*, Cambridge, cabinet maker, June 28 at 10, County Court of Cambridgeshire, at Cambridge.—*Wm. Burton*, Spalding, Lincolnshire, joiner, July 2 at 10, County Court of Lincolnshire, at Lincoln.—*Abraham Priestley*, Huddersfield, Yorkshire, cloth finisher, July 5 at 10, County Court of Yorkshire, at Huddersfield.—*Henry Fitzroy Jones*, Cambridge, painter, June 28 at 10, County Court of Cambridgeshire, at Cambridge.—*Philip Andrew Williamson*, Northampton, shoemaker, July 2 at 11, County Court of Northamptonshire, at Northampton.—*Hen. Cox*, Newport, Isle of Wight, grocer, June 28 at 10, County Court of Hampshire, at Newport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 29 *at* 10, *before Mr. Commissioner* LAW.

James M'Currey the younger, Old Bond-street, Middlesex, surgeon.

June 30 *at* 10, *before Mr. Commissioner* PHILLIPS.

Andrew Dill, Oxford-street, Westminster, Middlesex, shopman to a baker.—*Jas. Matthew Jarvis*, Missionary-place, York-street, Walworth, Surrey, bedstead maker.—*Joseph David Shirley*, York-row, Kennington-road, Surrey, grocer.—*Thomas Davis*, High-street, Whitechapel, Middlesex, tailor.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 28 *at* 10, *before Mr. Commissioner* LAW.

Adjourned.

Wm. Hooper Metcalfe, Westminster-bridge-road, Surrey, and St. Mary Axe, Leadenhall-st., London, wholesale druggist.

June 29 *at* 10, *before Mr. Commissioner* LAW.

Jas. Owen, Hoxton-sq., Middlesex, upholsterer's assistant.

June 29 *at* 11, *before Mr. Commissioner* HARRIS.

Thomas Cooper, Charles-street, Middlesex Hospital, house decorator.—*Fred. Pemberton*, South-terrace, Thurloe-square, Brompton, Middlesex, lodging-house keeper.

July 2 *at* 11, *before the* CHIEF COMMISSIONER.

Christian Fred. Stuhmer, Crozier-street, New-palace-road, Lambeth, Surrey, out of business.—*John Stubbs*, Spring-st., Cambridge-terrace, Edgeware-road, Middlesex, out of business.—*Wm. Cox*, Vine-cottage, Rye-lane, Peckham, Surrey, gardener.—*Jas. Green*, Mary-st., Poplar, Middlesex, lodging-house keeper.—*Wm. Scales*, Ashby-st., St. John-street-road, Middlesex, out of business.

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The Jurist

No. 650—Vol. XIII. JUNE 23, 1849. Price 1s.

**** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, JUNE 23, 1849.

The act of the New York Legislature, which we noticed in our last number, has abolished equity jurisprudence as a separate system, and has substituted for bills of discovery the examination, as witnesses, of the parties to an action. Supposing the bill of discovery to continue as a part of our Chancery procedure, it is still an important and pressing question, whether the less expensive and dilatory, and the more efficient, mode of examining a party to a cause vivâ voce and in open court, as any other witness, should not be established as a concurrent common-law remedy. We understand that Lord Brougham has introduced a bill into the House of Lords which (amongst other alterations in the law of evidence) will give the right of thus extracting evidence from the plaintiff and defendant to an action. We have long thought such an enactment advisable, and hope that it will be numbered among the statutes of this session.

When it is remembered that evidence is the means of discovering the truth, it will be obvious that we should not narrow or exclude its operation, except upon strong and sufficient reasons. We should rather increase than diminish the means of arriving at the truth; and the tendency of modern times is to remove those arbitrary rules which have interfered with the natural course of investigation—that is, the course which would have been adopted but for those rules, and which is adopted in all but legal inquiries. The exclusion of the evidence of parties to a cause now prevails only in civil causes in our superior common-law courts; and even in such instances the rule is subject to several exceptions, and rests on a foundation which has been considered insufficient for the exclusion of the testimony of third persons.

In our Courts of Chancery, in the Ecclesiastical Courts, and now in the County Courts, evidence can be obtained from the parties to a cause. So, in our Criminal Courts, the prosecutor is always examined, though he entitle himself to the restoration of stolen property by the conviction, or to costs where the indictment has been removed by certiorari. (See *R.* v. *Muscot*, 10 Mod. 193). And a person entitled to a reward on conviction, (Id.), and an accomplice, though his expectation of pardon depend on the conviction, (1 Hale, 303; *Mead* v. *Robinson*, Willes, 423), may give their evidence. If such testimony is dangerous, it should certainly not be admitted in criminal cases; and it is no sufficient answer to say that the Crown is the prosecutor, as it is so only in a nominal sense; nor can it be urged, that, if such evidence were excluded, guilt would frequently go unpunished, the prosecutor being often the only witness of the offence, or capable of substantiating it; for this is one of the reasons urged for its admission in civil causes, namely, that justice is sometimes defeated through rejecting the information which could be afforded by the parties themselves, and by them alone. The principle of excluding testimony on the ground of interest may be said to have been virtually abandoned by Lord Denman's Act; and yet interest is the only legal ground for the incompetency of parties to the suit as witnesses. (*Worrall* v. *Jones*, 7 Bing. 398). If not interested, though nominally parties, they may be examined. Thus, a defendant who has suffered judgment by default, in an action ex contractu (*Pipe* v. *Steel and Harvey*, 2 Q. B. Rep. 733) or ex delicto, (*Hadrick* v. *Heslop and Raine*, 12 Jur. 600), may be a witness for the plaintiff, but not for

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the defendant. (*Thorpe* v. *Barber*, 5 C. B. 675). And, since Lord Denman's Act, a prochein amy, though liable for the costs, may be examined for the plaintiff. (*Sinclair* v. *Sinclair*, 13 Mee. & W. 640). So, one who expects to receive half of the amount sought to be recovered in the action; (*Hill* v. *Kitching*, 3 C. B. 299); a person who has agreed to indemnify the defendant against the costs may be called for him; (*Sage* v. *Robinson*, 12 Jur. 1054); the sheriff's officer is a competent witness for the defendant in an action against a sheriff for not taking a defendant on a ca. sa.; (*Wilson* v. *Magnay*, 1 C. & K. 291; *Wheeler* v. *Senior*, Id. 293); and a person under whom the defendant has justified, in an action of trover, may be called for him. (*Hearne* v. *Turner*, 2 C. B. 535; and see, in ejectment, *Doe* v. *Nicholls*, 18 Law Journ., N. S., Q. B., 81). Since, as before, Lord Denman's Act, the nearest relations (except the wife) of a party to a suit may be examined for and against him, although their bias must frequently be as strong as any that can be given by a pecuniary interest.

It may, therefore, be stated, as the result of the present system, that third persons may be examined in an action, whatever may be the amount of their interest in the event of the cause, but that parties to the action may not be examined *because* they are interested.

It is impossible to predicate the amount of interest which will induce a person to commit perjury; but it is not difficult to see that, cæteris paribus, the mere fact of being named on the record will not make any difference in this respect. A party to an action, interested to the extent of 1000*l*., is not more likely to perjure himself than one who is not a party, but who has an equal interest. It must also be borne in mind, that the great test of truth and falsehood—vivâ voce cross-examination in open court—would be applied, and not sparingly, to the parties examined as witnesses.

Further arguments appear to us unnecessary to shew that the exclusion of the evidence of parties to an action does not rest on any sound or consistent principle; and that objections should be confined to the credibility, not to the admissibility, of such evidence.

COURTS-MARTIAL are courts of honour; but they are also courts of justice, and to some extent courts of law; that is, they are, or at least ought to be, governed, in regard to the general rules of right and wrong, and in particular in regard to the reception and sifting of evidence, by the general principles which regulate the same matters before a judge and jury. Assuming this to be so, the publicly-recorded proceedings of a court-martial are as properly the subject of criticism in these pages as those of any other court; and we proceed, therefore, in the exercise of that part of our duty which consists in calling the attention of our readers to cases in which courts appear to us to have miscarried, to criticise the decision pronounced by a general court-martial* recently held in the island of Guernsey, in which the prisoner, an officer in the 16th regiment, was declared guilty, first, of direct falsehood; and, secondly, of evasive concealment of the truth; and punished accordingly by being dismissed the service. We need not remind our readers that the offence of lying, directly or indirectly, constituting, among all classes of gentlemen, what would be termed ungentlemanlike conduct, amounts, by the articles of war—which are the code of law governing the army—to a military crime, falling clearly within the general definition of scandalous or infamous behaviour, "unbecoming the character of an officer and a gentleman." (Articles of War, 1847; Art. 80). We think it right also to premise, that we write as legal critics, and as legal critics only, having no personal knowledge whatever of the prisoner, Captain Douglas, and no knowledge of the facts of the case, except as they appear by the report of the proceedings.

The material facts lie in a very small compass. Captain Douglas and another officer, Mr. Parker, were, on the 5th January, 1849, practising pistol-firing with ball on the ramparts of Longy Battery, which was close upon the sea-coast. On the following day a bullock, belonging to a farmer in the neighbourhood, was found dead on the beach, close under the spot where the firing had taken place, with a wound in the head like a wound made by a bullet. Suspicion fell on the two officers, who, it was supposed, had, or might have, shot the animal, and afterwards thrown it over the cliff to conceal the transaction. In consequence, on the 8th January, a constable was sent, by the judge of the island of Alderney, to question Captain Douglas on the subject; and on what passed between this man and Captain Douglas, and on his evidence only, rested the first charge against the prisoner, viz. that of direct falsehood. In order to clear the case of all extraneous matter, we may state at the outset, that the question, who had killed the bullock, or whether it had been killed at all, was not before the Court: the prisoner had, in the course of preliminary inquiries, denied having done so, and was believed. The case before the Court was, that Captain Douglas, having been asked, on the 8th, by the constable, *whether he had a knowledge of the person or persons who had been firing ball on the ramparts of Longy Battery* on the 5th January, 1849, had answered, that he had no knowledge of such person or persons; whereas he, Captain Douglas, well knew, at the time he so made answer, that he himself had been firing ball on the said ramparts on the said 5th January, 1849.

Of course it is needless to say that the prisoner denied having uttered this lie. What he stated was that he had been asked whether he had, or any one about the barracks had, shot a bullock; and that he had replied, he had not: or that the question might have been put in this form—that there had been practising with ball on the battery, and a bullock had been shot, and did he know who had done it? And he replied, he did not. The question being, not whether the prisoner had falsely denied having shot the bullock, but whether he had falsely denied having been practising at pistol-firing, it is obvious that the form in which the question had been put, was most material. The question, lie or no lie, became, in fact, a question of verbal criticism, if the evidence as to the exact que-

* Proceedings of a General Court-Martial, held at Guernsey, on Captain George Douglas, 16th regiment; from Notes taken by H. Sholto Douglas, Esq. [London: Blackwood & Son, 1849, pp. 80.]

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tion and exact reply was not perfectly clear. Now, the evidence was this:—The constable, on being asked by the Deputy Judge-Advocate what had passed, said, first—"I was sent by Judge Gaudion, of Alderney, to inquire about a bullock that had been shot. I asked him if he knew *anything about it*, and he said, 'No.' I asked him if he knew anything about a bullock that had been shot, and if he had been firing, on the 5th January, on the ramparts. I told him, that it appeared there had been ball-firing on the battery. His answer was, 'We have had no ball-firing since we have been here.'" Here, therefore, the witness reports the prisoner not to have given a mere denial, but to have made a specific statement. On being further questioned by the Court, the following is the evidence:—

"Q. Did you ask Captain Douglas whether he knew who the person was who had been firing?

A. I asked him if he knew the person who had done it—meaning the *shooting*. I did not ask him who had been *firing*. I asked him whether he knew anything of the firing which took place on the 5th. [Read over, witness corrects himself—'I did not ask him if he knew the person, but if he knew anything about it.']

Q. What do you mean by 'had *done it*?'

Captain Douglas here begged to say that he considered the question objectionable. The point was, not what the witness *meant*, but what he *said* to Captain Douglas, at the time; so that the Court might be placed in the situation of persons present at the interview between him and the constable.

The President ordered the court to be cleared. On its being re-opened, he said—'The Court decides that there is no objection to the question.' On which it was put to this witness, who gave some answer, which appeared to have been misunderstood by the Deputy Judge-Advocate. On his repeating it,

Captain Douglas rose and said—'I beg of the Court that the actual words used by the witness may be taken down, in the first instance, as he utters them?'

President.—Certainly. I consider that quite essential.

Q. *By the Court*, resumed.—Referring to your former answer, what did you mean by '*had done it?*'

A. Had been *firing* there. That is what I meant."

Here, it will be observed, the witness says he did not ask the prisoner whether *he* had been firing, which he had previously said he did, but if he knew who had been firing; and further, that, at first, he says, that by the expression "*who had done it*," he referred to the shooting—that is, it must be presumed, the shooting of the bullock, and not the firing; and afterwards he says, that, by that expression, he was referring to the firing. At a subsequent part of the evidence he speaks of finding flattened bullets on the grass at the *end* of the wall; and he explains, that by *end* of the wall he means at the *bottom* of the wall, and then that he meant *under* the wall. It was in evidence that the native tongue of this witness was French; and the judge, (Mr. Gaudion), in his evidence, stated his doubt whether the witness understood the correct meaning of expressions in English; adding, that in his court he gave his evidence in French. It needs, indeed, scarcely any other evidence than the internal evidence of his own statements, to see that he did not know the meaning of words, when he could confound the *end* and the *bottom* and the *under* part of a wall. The evidence, also, which this witness had given on the preliminary inquiry referred to, was put in, and that was as follows:—"Hier je vis le Capt. Douglas aux casernes de Longis, et lui demandai s'il avait connaissance de celui ou ceux qui avaient tiré à balles dans la Batterie; il me dit que non."—"Yesterday I saw Captain Douglas at the barracks at Longy, and asked him if he had any knowledge who had been ball-firing in the battery? He said, 'No.'" So that at one time the witness says he put a specific question, and received a particular denial; at another, he says, he put a general question, and received a specific statement, amounting to a denial. He varies also in the statement of the order or form in which he put his question; so that it cannot be gathered from his evidence whether he expressed himself so that the prisoner must have understood him to refer to shooting the bullock, or to the practising. If to the former, the answer was a true one; if to the latter, it was a falsehood. Now, this was the only witness as to the fact of lie or no lie; and if it had rested there, we should have thought that nothing in the shape of a tribunal above the calibre of the commonest of common juries would, on evidence so demonstrative of infirmity of memory, and inaccuracy in the use and appreciation of language in the witness, have found a gentleman guilty of the charge of direct falsehood. But, in addition, it was proved that the prisoner had, shortly before the visit of the constable, told a surgeon of Alderney, in the presence of another officer, that he had been firing. To have told the constable immediately afterwards the alleged lie, would have been to tell so useless—nay, so dangerous—a lie, as to render it highly improbable that it had been told. We conceive, on the whole, that, on the first charge, the decision of the Court is altogether wrong, on the ground of its being unsupported by the evidence.

The next point on which it appears to us that the court-martial miscarried, is in awarding the sentence of cashiering upon the second charge, which was, that the prisoner, on certain specified occasions of official inquiry, viz. a military court of inquiry, and an investigation before the civil court into the cause of the death of the unhappy bullock, had *omitted and neglected and refused* to acknowledge that he had been practising ball-firing on the ramparts of Longy Battery, he knowing that the object of such inquiry was to ascertain whether he had been so firing. The finding of the Court is, that he had *omitted and neglected*, omitting the word *refused*. Now, assuming the evidence to bear out the substance of the charge, (which, however, after an attentive perusal, we think is very doubtful, as it is not at all clearly in evidence that the prisoner was apprised of or knew the specific object of the inquiries), we think it is almost beyond question that the charge, if proved, does not support the allegation of military crime, viz. that of conduct "unbecoming the character of an officer and a gentleman." For, if we look to the 80th article of war, 1847, (the act under which courts-martial exercise jurisdiction in respect of conduct "unbecoming the character of an officer and a gentleman"), we find that the court is not left to any vague notions of what is or is not fit conduct for an officer and a gentleman. The article of war explains itself what it means, viz. that the conduct must be conduct in itself *scandalous or infamous*. "Any officer who shall behave in a scandalous, infamous manner, unbecoming the character of an officer and a gentleman." And that this is the construction put on the articles of war by courts-martial, see a book of great reputation on that subject. (Simmons on Courts-Martial, pp. 371 et seq., and the cases referred to at pp. 438, 439). The question, then, is, whether *omitting and neglecting* to acknowledge having done a particular thing, in itself innocent, is scandalous or infamous conduct. The act of firing for ball practice was in itself clearly lawful and innocent. It was not imputed to the prisoner that it was otherwise. The reason for the preliminary official inquiries, both military and civil, was, that the fact of the prisoner having been engaged in firing, if established, might be used as presumptive evidence of his having committed the outrage of shooting the bullock. Now, as the prisoner knew himself to be guiltless of the outrage, and also knew, as the fact was, that the voluntary supplying of evidence of an

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act in itself innocent, but which might be used against him, might expose him, and undeservedly, to civil liabilities, he had the clearest imaginable right to refuse to supply that evidence. To require otherwise would be to require a man himself to furnish circumstantial evidence of a crime of which he knows himself to be innocent. We apprehend, therefore, that the prisoner could lawfully *refuse*, à fortiori *neglect*, at any stage of the proceedings, to give any answers, if he had been in terms asked, which he was not, whether he had been firing. We will not insult the understandings of our readers, by argument to shew that this would be so in any criminal procedure at law; but that it is also clear military law will be seen by referring to the book above referred to, in which, after citing a decision of his Majesty King William IV, (and be it remembered that the decisions of the Crown, in matters of military law, are law, if not inconsistent with the statute or common law), the writer goes on to say, of military courts of inquiry:—"The accused, attending the investigation, may avail himself of the opportunity to explain any particular act in any part of his conduct in which an imputation prejudicial to him may have arisen; or he may reserve his defence or exculpation, submitting a request for trial by a court-martial *."

It is clear, then, that Captain Douglas had a right to withhold any statement of his having been engaged in firing; and, if he had, how could the exercise of a right be *scandalous* or *infamous* conduct, "unbecoming the character of an officer and a gentleman?" On this head, therefore, the Court seems to have miscarried, assuming the charge to have been proved, by treating a right as a military crime, and consequently awarding punishment when it had no power to do so.

On the third and fourth charges the Court appears to us to have been equally wrong. The substance of these charges was evasive concealment of the truth. The facts proved, as to one of the charges, were, that the prisoner, on being asked how he accounted for a piece of a newspaper, addressed to him, being found on the ground, replied, "that he could not be accountable for newspapers in his name;" adding, "that his papers travelled through the barracks, and even in the town." It was in evidence that this answer was strictly true; that his papers were sent to one of the serjeants, who lent or did what he liked with them. What, then, did the first part of the answer amount to? Simply to refusing to give any account, which he had a perfect right to do. To construe such an answer into an intentional suggestion of a falsehood, requires a degree of finesse in argument—a species of fanciful suggestion of crime by implication—which, if attempted by a *lawyer*, would be thought almost "too bad." But that such a forced construction should be adopted by a *court-martial*, passes all understanding.

The same arguments, in substance, apply to the fourth charge, which was, that in a letter to his superior officer, calling for an explanation of the circumstances with regard to the shooting of the bullock, the prisoner had not stated that he had been firing on the battery, and had stated, as the fact was, that other persons were in the habit of firing there. Now, all that the prisoner could be required to answer, as a matter of duty, was, whether he had killed the bullock or not, because that was the only act which was in itself wrong. To that inquiry he did return an explicit answer, viz. a denial of his having done the act. To the inquiries, which he had a right to refuse to answer, he simply did decline to make any answer. On both these charges, (the third and fourth), the true question was, when it came to one of implied falsehood or not,—Did the proved conduct of the prisoner tend to create a belief that he meant to convey an impression that he had *not* been firing; or did it merely amount to withholding any statement on the matter, leaving the inquirers to ascertain the fact? We apprehend that the latter is the true result of the evidence, and that not only would it be impossible to extract from it any fair *legal* inference that the prisoner meant to convey a *false* idea, but that no man of common penetration could have been led by his conduct to form any unfounded belief, or to collect that he meant anything more than a communication to the effect that *he would not make any statement*—a privilege to which, we have shewn, he was entitled by the law military—a privilege, therefore, the exercise of which could not be an offence at all; least of all the crime contemplated by the 80th article of war.

So total a misconception of the result of evidence, and so total a misapprehension of the law, as, we think, are apparent in the proceedings of this court-martial, are, happily, not often seen in any of our civil courts. We trust they are not frequent in courts-martial; if they are, the honour of "an officer and a gentleman" is in but fragile keeping.

* Simmons on Courts-Martial, p. 98; and see also an order of the King, cited Id., pp. 97, 98.

Court Papers.

EQUITY SITTINGS AFTER TRINITY TERM.

Court of Chancery.

Before the LORD CHANCELLOR, *at Lincoln's Inn.*

Wednesday..	*June* 20	First Seal.—Appeal Motions and Appeals.
Thursday.....	21	Appeals.
Friday	22	
Saturday	23	
Monday.....	25	
Tuesday.....	26	
Wednesday	27	
Thursday.....	28	
Friday	29	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	30	Appeals.
Monday	*July* 2	
Tuesday.....	3	
Wednesday	4	Second Seal.—Appeal Motions and Appeals.
Thursday	5	Appeals.
Friday	6	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	7	Appeals.
Monday.....	9	
Tuesday.....	10	
Wednesday	11	
Thursday.....	12	
Friday	13	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	14	Appeals.
Monday.....	16	
Tuesday.....	17	
Wednesday	18	Third Seal.—Appeal Motions and Appeals.
Thursday.....	19	Appeals.
Friday	20	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	21	Appeals.
Monday.....	23	
Tuesday.....	24	
Wednesday	25	
Thursday	26	
Friday	27	(Petition-day).—Petitions (unopposed) and Appeals.
Saturday	28	Appeals.
Monday.....	30	
Tuesday.....	31	
Wednesday..	*Aug.* 1	Fourth Seal.—Appeal Motions and Appeals.
Thursday	2	(General Petition-day).—Petitions.

N. B.—Such days as his Lordship sits on Appeals in the House of Lords excepted.

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Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS.

At the Rolls.

Wednesday.. *June* 20 Motions.

At the Judicial Committee.

Thursday..... 21
Friday 22

At the Rolls.

Saturday ..... 23 — Pleas, Demurrers, Causes, Further Directions, and Exceptions.

At the Judicial Committee.

Monday..... 25
Tuesday..... 26
Wednesday 27
Thursday 28
Friday 29

At the Rolls.

Saturday ..... 30 — Pleas, Demurrers, Causes, Further Directions, and Exceptions.

At the Judicial Committee.

Monday .... *July* 2
Tuesday..... 3

At the Rolls.

Wednesday .... 4 Motions.

At the Judicial Committee.

Thursday..... 5
Friday 6
Saturday 7

At the Rolls.

Monday..... 9
Tuesday..... 10
Wednesday 11
Thursday..... 12
Friday ..... 13 — Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday 14
Monday..... 16
Tuesday..... 17
Wednesday ..... 18 Motions.
Thursday 19
Friday 20
Saturday 21
Monday..... 23
Tuesday 24
Wednesday 25
Thursday ..... 26 — Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Friday 27
Saturday 28
Monday..... 30
Tuesday..... 31
Wednesday.. *Aug.* 1 Motions.
Thursday ..... 2 Petitions in the General Paper.

Short Causes, Consent Causes, and Unopposed Petitions, every Saturday (except Saturday, the 7th July) at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.

Before the VICE-CHANCELLOR OF ENGLAND, *at Lincoln's Inn.*

Wednesday.. *June* 20 First Seal.—Motions.
Thursday ..... 21 No Sittings.
Friday ..... 22 — (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday..... 23
Monday..... 25
Tuesday..... 26
Wednesday 27
Thursday ..... 28 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 29 — (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 30
Monday .... *July* 2
Tuesday..... 3 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday ..... 4 Second Seal.—Motions.
Thursday ..... 5 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 6 — (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 7
Monday..... 9
Tuesday 10
Wednesday 11
Thursday..... 12 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 13 — (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 14
Monday..... 16
Tuesday..... 17 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday ..... 18 Third Seal.—Motions.
Thursday ..... 19 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 20 — (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 21
Monday..... 23
Tuesday..... 24
Wednesday 25
Thursday ..... 26 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 27 — (Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday 28
Monday..... 30
Tuesday..... 31 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday.. *Aug.* 1 Fourth Seal.—Motions.
Thursday ..... 2 General Petition-day.

N. B.—His Honor will take Unopposed Petitions at head of paper every day during the sittings (except Seal-days).

Before VICE-CHANCELLOR KNIGHT BRUCE, *at Lincoln's Inn.*

Wednesday.. *June* 20 First Seal.—Motions.
Thursday ..... 21 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 22 (Petition-day).—Petitions and Ditto.
Saturday ..... 23 Short Causes and Causes.
Monday..... 25 Bankrupt Petitions.
Tuesday..... 26 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday .... 27 Bankrupt Petitions.
Thursday ..... 28 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 29 (Petition-day).—Petitions and Causes.
Saturday ..... 30 Short Causes and Causes.
Monday .... *July* 2 Bankrupt Petitions and Causes.
Tuesday ..... 3 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday .... 4 Second Seal.—Motions.
Thursday..... 5 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 6 (Petition-day).—Petitions and Causes.
Saturday ..... 7 Short Causes and Causes.
Monday..... 9 Bankrupt Petitions and Causes.
Tuesday..... 10 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday ..... 11 Bankrupt Petitions.
Thursday ..... 12 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 13 (Petition-day).—Petitions and Causes.
Saturday ..... 14 Short Causes and Causes.
Monday..... 16 Bankrupt Petitions and Causes.
Tuesday..... 17 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday ..... 18 Third Seal.—Motions.
Thursday ..... 19 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday ..... 20 (Petition-day).—Petitions and Causes.
Saturday ..... 21 Short Causes and Causes.
Monday..... 23 Bankrupt Petitions.
Tuesday..... 24 — Pleas, Demurrers, Exceptions, Causes, and Further Directions.

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Wednesday	25	Bankrupt Petitions and Causes.
Thursday	26	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	27	(Petition-day).—Petitions and Ditto.
Saturday	28	Short Causes and Causes.
Monday.....	30	Bankrupt Petitions.
Tuesday.....	31	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday .. *Aug.*	1	Fourth Seal.—Motions.
Thursday	2	General Petition-day.

Before VICE-CHANCELLOR WIGRAM, *at Lincoln's Inn.*

Wednesday.. *June*	20	First Seal.—Motions and Causes.
Thursday	21	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	22	
Saturday	23	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	25	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	26	
Wednesday	27	
Thursday.....	28	
Friday	29	
Saturday	30	Short Causes, Petitions, (unopposed first), and Causes.
Monday .... *July*	2	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	3	
Wednesday	4	Second Seal.—Motions and Causes.
Thursday	5	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	6	
Saturday	7	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	9	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	10	
Wednesday	11	
Thursday	12	
Friday	13	
Saturday	14	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	16	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	17	
Wednesday	18	Third Seal.—Motions and Causes.
Thursday.....	19	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	20	
Saturday	21	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	23	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	24	
Wednesday	25	
Thursday	26	
Friday	27	
Saturday	28	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	30	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	31	
Wednesday .. *Aug.*	1	Fourth Seal.—Motions and Causes.
Thursday	2	General Petition-day.

EQUITY CAUSE LISTS AFTER TRINITY TERM, 1849.

*** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Re-hearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR.

APPEALS.

Hodgkinson *v.* Hodgkinson
Same *v.* Same
Knight *v.* Majoribanks
Same *v.* Gibbs
(Ap)
Scarf *v.* Soulby (Ap)
Onslow *v.* Wallis (Ap)
Cuddon *v.* Morley (Ap)
Chambre *v.* Siggers (Ap)
M'Intosh *v.* Great Western Railway Company (Ap)
Att.-Gen. *v.* Jones (Cause by order)
Phillipson *v.* Gatty
Gatty *v.* Phillipson
(Ap)
Staniland *v.* Willott (Ap)
Coward *v.* Coward (Ap)
Cooke *v.* Cholmondeley
Same *v.* Vaux
(Ap)
Cole *v.* Scott (Ap)
Rackham *v.* Siddall (Ap)
Williams *v.* Powell
Same *v.* Davis
Price *v.* Powell
(Ap)
Monro *v.* Taylor (Ap)
Duncan *v.* Luntley (Ap)
Malcolm *v.* Scott (4 cans., Ap)
Boothby *v.* Boothby (Ap)
Fuller *v.* Benett (Ap)
Watson *v.* Masters (Ap)
Dodson *v.* Powell (Ap)
Hawkins *v.* Jackson (Ap)
Hunter *v.* Daniel (Ap)
Cowell *v.* Watts
Watts *v.* Cowell
(Ap)
Newman *v.* Hutton (3 causes, Ap)
Andrew *v.* Andrew (Ap)
Marks *v.* Solomons (Ap)
Att.-Gen. *v.* Gibbs
Rock *v.* Same
(Ap)
Purchase *v.* Shallis (Ap)
Bagshaw *v.* East India Railway
Same *v.* Same
(2 Aps)
Masters *v.* Scales (5 causes, re-hearing)
Loader *v.* Clarke (Ap)
Miller *v.* Priddon (Ap)
Cross *v.* Sprigg (Ap)
Sanderson *v.* Cockermouth & Workington Railway Co. (Ap)
Griggs *v.* Staplee (Ap)
Dawson *v.* Brinckman (Ap)
Bagshaw *v.* M'Niel (Ap)
Att.-Gen. *v.* Corporation of London (Ap)
Padbury *v.* Clarke (Ap)
Att.-Gen. *v.* Pilgrim (Ap)
Coleman *v.* Mellersh (Ap)
Adams *v.* Blackwall (Ap)
Hirst *v.* Tolson (Ap)
Tomlinson *v.* Troughton
Haydock *v.* Tomlinson
(Ap)

Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Brooke *v.* London and Westminster Bank
Same *v.* Same
(D) *To fix a day.*
Att.-Gen. *v.* Grainger *S O*
Coleman *v.* Fielden (part hd.)
Menlove *v.* Hogg
Same *v.* Trustees of Liverpool Docks
Same *v.* Same
Allen *v.* Wilson *July* 23
Hobson *v.* M'Kenzie *June* 22
Burleigh *v.* Farratt
Watts *v.* Watts
Markeating *v.* Smith (part hd.)
Barnard *v.* Earl of Liverpool *Day to be fixed*
Lander *v.* Weston (E)
Attorney-Gen. *v.* Cother
Hubbard *v.* Evans
Same *v.* Same
Wellesley *v.* Wellesley
Same *v.* Bicknell
Same *v.* Lawson
Countess of Mornington *v.* Earl of Mornington
Same *v.* Powell
Barton *v.* Dixon
Same *v.* Stears
Roberts *v.* Roberts (F D, C) *S O*
Evans *v.* Evans
Same *v.* Williams
(E, 2 sets)
Evans *v.* Evans
Same *v.* Williams
(F D)
Parsons *v.* Benn
Bell *v.* Hoyes
Coxon *v.* Coxon
Hughes *v.* Pride (F D, C)
Whitehead *v.* Cozens
Miller *v.* Huddlestone (F D, C)
Shadbolt *v.* Thornton (F D, C) *Sh*
Knight *v.* Cox (F D, Ptn)
Gervis *v.* Gervis (3 causes, F D, C)
Lindsay *v.* Perfitt
Darnley *v.* Senior
Luck *v.* Luck *Sh, S O*
Coles *v.* Dickenson
Greensmith *v.* Johnson (F D, C)
Coppock *v.* Dunsford (F D, C, Ptn)
Haw *v.* Earles (F D, C)
Broadmead *v.* White (F D, C)
Sanders *v.* Sanders (2 causes)
Same *v.* Same (F D, C)
Gates *v.* Lord Dunboyne
Vaughan *v.* Vanderstegen
Gresley *v.* Jones
Jearrad *v.* Tracy
Fairfax *v.* Drought (F D, C)
William *v.* Williams
Gleadow *v.* Hall Glass Co. *July* 2
Fowler *v.* Fowler (2 causes)
Pearcy *v.* Dicker *July* 6
Beasley *v.* Snare *July* 12
Att.-Gen. *v.* Trevelyan
Same *v.* Same
(5 ca. E)
Pinckney *v.* Tanner (F D, C) *Sh*
Price *v.* Wadley
Cash *v.* Smith (F D, C)
Cessarini *v.* Cessarini (F D, C)
Parkyn *v.* Cape *July* 9
Peto *v.* Brown *July* 11
Reeve *v.* Bourne *July* 11
Smith *v.* Brewin (F D, C)
Bear *v.* Murray (F D, C)
Quicke *v.* Kingdon *July* 12
Hilmer *v.* Jones *Sh*
Lang *v.* Lang (F D, C)
Fidkin *v.* Webb *July* 14
Forward *v.* Edginton *July* 16.

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Zulueta *v.* Vincent (D)
Short *v.* Mercier (E)
Wales *v.* Bourne
Stanley *v.* Bulkeley *Mich. T.*
Hughes *v.* Scarborough *S O*
May *v.* Grave (E)
Wilkin *v.* Wingate
White *v.* Everest *S O*

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Hutchison *v.* Teycheuné
Heath *v.* Lewis
Risk *v.* Starkey
Carrington *v.* Pell
Bradley *v.* Bycroft (F D, C)
Stutely *v.* Wells (5 causes, F D, C, Ptn)
Evett *v.* Greatwood (F D, C)
Mendis *v.* Brandon
Bradshaw *v.* Drake
Fowler *v.* Swaffer
Steward *v.* Davis (F D, C)
Attorney-Gen. *v.* Dew
Longden *v.* Wright
Shore *v.* Weekly (F D, C)
Johnson *v.* Thomas
Green *v.* Green, Same *v.* Bays (F D, C)
Aron *v* Aron
Hudleston *v.* Whelpdale *Sh*
Thorowgood *v.* Eddowes, Same *v.* Green (F D, C)
Rhodes *v.* Matson, Same *v.* De Beauvoir (F D, C)
Cheetham *v.* Sturtevant (4 causes, F D, C, Ptn)
Beaumont *v.* Hennell (F D, C)
Allett *v.* Bailey, Same *v.* Wilkinson (F D, C, Ptn)
Spencer *v.* Brown (F D, C)
Jones *v.* Lewis (3 causes, F D, C)
Walker *v.* Broughton (2 cau.)
Scarth *v.* Charlwood
Harpur *v.* Greaves *July* 7
Webb *v.* Ledicott (F D, C)
Staveley *v.* Hutchinson
Phillips *v.* Beynon
Norgate *v.* Baron Thurlow
Paschoud *v.* Chapman
Good *v.* Good *July* 6
Parratt *v.* Parratt *June* 30
Todd *v.* Sims *July* 2
Moriarty *v.* Paterson (F D, C)
Alston *v.* Blake *July* 2
Barnard *v.* Papineau, Same *v.* Bond
Fell *v.* Groom *July* 5
Spooner *v.* Payne (Equity reserved, C)
Robinson *v.* Geldard (F D, C)
Lockwood *v.* Laird (F D, C)
Bird *v.* Blyth (5 cau. F D, C)
Turner *v.* Maule, Same *v.* Turner (F D, C)
Jillaed *v.* Edgar *July* 9
Lyon *v.* Baker
Ford *v.* Ruxton (3 ca. F D, C)
Seton *v.* Waller (3 ca. F D, C)
Williams *v.* Miller *July* 12
Kenion *v.* Taylor (2 causes), Same *v.* Yates *Sh*
Wake *v.* Wake *July* 13
Hawkins *v.* Spencer *July* 13
Thomas *v.* Hall *July* 13
Savage *v.* Robertson (2 causes) *July* 13
Powell *v.* Taylor
Castle *v.* Porter

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Tamlyn *v.* Crang (D)
Chandler *v.* Corke
Attorney-Gen. *v.* Murdock
Dott *v.* Hoyes, Hoyes *v.* Kindersley, Gillan *v.* Hoyes (Part heard)
Dyer *v.* Sturgis
Ward *v.* Swift (F D, C) *S O G*
Marquis of Londonderry *v.* Ovingdon (3 causes)
Marshall *v.* Jewson
Osborn *v.* Garrard
Challis *v.* Harris
Bliss *v.* Brady
Coventry *v.* Earl of Lauderdale, Same *v.* Coventry (E, F D)
Field *v.* Bentley (F D, C)
Howard *v.* Reynardson
Mayall *v.* Milne
Bensusan *v.* Nehemias, Same *v.* Same
Sentance *v.* Porter (F D, C)
Edlin *v.* King, Same *v.* Stansfield
Ransford *v.* Griffiths
Bond *v.* Harvey (F D)
Hughes *v.* Stable, Piper *v.* Same, Hughes *v.* Savery (F D)
Woodhouse *v.* Surtees
Jackson *v.* Courtney
Hewey *v.* Chapman
Miller *v.* Smith (F D, Ptn)
Coope *v.* Carter (3 ca. E, F D)
Costobadie *v.* Costobadie (F D, C)
Foster *v.* Foster (F D, C)
Williamson *v.* Plumer *July* 2
Taylor *v.* Taylor (4 causes, F D, C)
Ford *v.* Robinson *July* 6
Vincent *v.* Bishop of Sodor and Mann (F D, C)
Wait *v.* Mason *S O*
Chalk *v.* Racine *July* 7
Whipple *v.* Martin
Dixon *v.* Pyner *July* 11
Clay *v.* Clay *July* 11
Same *v.* Brook *July* 11
Attorney-Gen. *v.* Croft *Sh*
Oliver *v.* Oliver (F D, C)
Phillips *v.* Phillips *Sh*
Dickenson *v.* Taylor *July* 16

London Gazettes.

TUESDAY, JUNE 19.

BANKRUPTS.

SAMUEL APLIN, Ipswich, Suffolk, draper, dealer and chapman, June 29 and July 31 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Sole & Turner, 68, Aldermanbury, London.—Fiat dated June 14.

JOHN SHARMAN, Melford, Suffolk, maltster, dealer and chapman, June 26 and August 6 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Wilde & Co., College-hill.—Fiat dated June 4.

GEORGE SYMONDS CORLEY, Oundle, Northamptonshire, dealer in music and musical instruments, and ale and porter dealer, June 26 at 12, and August 6 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Richardson, Oundle; Comerford, Old Broad-street.—Fiat dated June 16.

DANIEL GRANT, Cheapside, London, lithographer and printer, dealer and chapman, June 30 at 2, and July 28 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. T. J. & E. S. Clarke, Bishopsgate-churchyard.—Fiat dated July 8.

GRIFFITH LEWIS, Market-street, Oxford-st., Middlesex, plumber, painter, and glazier, dealer and chapman, June 28 at half-past 1, and July 26 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Eyre, Grecian-chambers, Devereux-court, Temple.—Fiat dated June 15.

GEORGE NYE, Maidstone, Kent, cabinetmaker, upholsterer, and furniture dealer, June 28 at 1, and July 26 at half-past 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Nichols & Doyle, Bedford-row.—Fiat dated June 18.

JONATHAN HALL, Rotherhithe, Surrey, shipwright, dealer and chapman, July 3 at 1, and August 2 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Wright & Co., 15, Golden-square.—Fiat dated June 15.

JOHN HILL, Prospect-place, Holloway, Middlesex, builder, June 26 at 3, and July 26 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Stevens & Satchell, 6, Queen-street, Cheapside.—Fiat dated June 13.

THOMAS MOORE, Derby, coachmaker, June 29 and July 27 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Vallack, Derby.—Fiat dated June 8.

GEORGE HINCHCLIFFE, Pudsey, Leeds, Yorkshire, cloth manufacturer, dealer and chapman, July 5 and 27 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Pickup, Bradford; Bond & Barwick, Leeds; Gregory & Co., Bedford-row. London.—Fiat dated June 6.

WILLIAM ELLIS, Liverpool, printer and stationer, (and lately carrying on business at Liverpool with Michael James Whitty, as printers and stationers, under the style or firm of Whitty & Ellis), July 2 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Greene, Liverpool; Maples & Co., Old Jewry, London.—Fiat dated June 8.

THOMAS CÆSAR CROASDALE, Foxhill-grove, within Oswaldtwisle, near Blackburn, Lancashire, grocer and tea dealer, dealer and chapman, June 29 and July 20 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Halsall, Middleton, near Manchester; Mayhew, 26, Carey-st., Lincoln's-inn, London.—Fiat dated June 14.

JOHN JOHNSON, Newcastle-upon-Tyne, banker, spirit merchant, dealer and chapman, July 6 at 11, and July 24 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Griffith & Crighton, Newcastle-upon-Tyne; Lawrence & Co., 25, Old Fish-street, Doctors' Commons, London.—Fiat dated June 12.

MEETINGS.

Richard Smith Roach, Cateaton-street, London, cap manufacturer, June 29 at 1, Court of Bankruptcy, London, ch. ass.—*Robert Busby*, Wood-street, Bethnal-green, Middlesex, cowkeeper, June 29 at 12, Court of Bankruptcy, London, sp. aff.—*Henry Clark*, Red-cross-street, London, and Plummer's-row, Whitechapel, Middlesex, oil merchant, June 30 at 12, Court of Bankruptcy, London, last ex.—*John Swindell*, Ardwick, Manchester, plumber, July 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thos. Cariss*, Thirsk, Yorkshire, corn dealer, July 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Robert Dorrington* and *Thos. Dorrington*, Leeds, Yorkshire, cloth merchants, July 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Pu"en*, Bradford, Yorkshire, druggist, July 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Christ. Morgan*, Leeds, Yorkshire, tea dealer, July 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Ezra Jenks Coates* and *John Hillard*, Bread-street, Cheapside, London; Manchester, Liverpool, Leicester, England, and of New York, America, merchants, July 10 at 12, Court of Bankruptcy, London, fin. div.—*Edward Gibson*, St. Alban's, Hertford, banker, July 10 at 2, Court of Bankruptcy, London, div.—*John Hall*, Shrewsbury, Shropshire, timber merchant, July 11 at 12, District Court of Bankruptcy, Birmingham, div.

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CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Edward Hammond, Rotherhithe-street, Rotherhithe, Surrey, oil crusher, July 10 at half-past 12, Court of Bankruptcy, London.—*Ann Anderson*, Clare-court, Drury-lane, Middlesex, tavern keeper, July 10 at 1, Court of Bankruptcy, London.—*Charles Smith*, Enfield, Middlesex, wine merchant, July 11 at 12, Court of Bankruptcy, London.—*John Gurney*, Lambeth-walk, Surrey, brewer, July 11 at 2, Court of Bankruptcy, London.—*Wm. B. Hankins*, Lugwardine, Herefordshire, cattle dealer, July 11 at 12, District Court of Bankruptcy, Birmingham.—*Wm. W. Batchelor*, Worcester, woollen draper, July 11 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 10.

John D. Verly, Liverpool, watchmaker.—*Alfred W. Hare*, Bartlett's-buildings, and Swann-chambers, Lad-lane, London, and Park-place, Highgate, Middlesex, brush manufacturer.—*J. Chatterton* the younger, Derby, lead merchant.—*R. Redman* and *Edw. Redman*, Mark-lane, London, wharfingers.—*George Golding*, Liverpool, builder.—*George Corrie*, Bowling-street, Westminster, Middlesex, smith.—*Thos. Pearson*, Blandford-street, Portman-square, Middlesex, butterman.—*Thomas Occleshead* and *Charles Cummins*, Liverpool, commission agents.—*Chas. N. Cartwright*, Leicester, spinner.—*Richard Bullock*, Kidderminster, Worcestershire, corn factor.—*F. G. Harbord*, Liverpool, wine merchant.

FIATS ANNULLED.

John Roberts the elder, Linfits, near Delph, Saddleworth, Yorkshire, woollen manufacturer.—*John Taylor*, Liverpool, licensed victualler.

SCOTCH SEQUESTRATIONS.

Samuel Heriot, Leith, commission agent.—*Wm. Wilson*, Edinburgh, merchant.—*Wm. M'Ewen*, Crieff, ironmonger.—*Geo. Young & Co.*, Glasgow, calico printers.—*R. Neilson*, Kilbirnie Station of the Ayrshire Railway, Ayrshire, miner.—*Duncan Campbell*, Kilchoman, Islay, grazier.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Weaver, Bath, surveyor, July 7 at 12, County Court of Somersetshire, at Bath.—*John Yeoman*, Wanstrow, Somersetshire, draper, July 11 at 11, County Court of Somersetshire, at Frome.—*Harriet Parsons*, widow, Weston, Somersetshire, greengrocer, July 14 at 12, County Court of Somersetshire, at Bath.—*J. F. H. R. Woodward*, Bath, Somersetshire, surgeon, July 7 at 12, County Court of Somersetshire, at Bath.—*John S. Raby* the younger, Bootle, near Liverpool, architect, June 25 at 10, Liverpool District County Court, at Liverpool.—*Wm. Robinson Fairclough*, Liverpool, painter, June 25 at 10, Liverpool District County Court, at Liverpool.—*Mary Bryan*, Liverpool, provision dealer, June 25 at 10, Liverpool District County Court, at Liverpool.—*C. Brittain*, Liverpool, land surveyor, June 25 at 10, Liverpool District County Court, at Liverpool.—*Thomas Faulkes*, Liverpool, grocer's shopman, June 25 at 10, Liverpool District County Court, at Liverpool.—*Joseph Melhuish*, Swansea, Glamorganshire, licensed victualler, June 23 at 10, County Court of Glamorganshire, at Swansea.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 3 *at* 11, *before Mr. Commissioner* HARRIS.

Saml. J. Campbell, Haddington-terrace, Greenwich, Kent, accountant.—*Charles Horniblew*, Hornsey-road, Holloway, Middlesex, owner of an omnibus.—*John Denbigh*, Bermondsey-square, Bermondsey, Surrey, clerk in the goods department of the Eastern Counties Railway Company.—*Sarah A. Sharp*, Well-street, Hackney, Middlesex, baker.—*Eleanor F. Evans*, Great Portland-street, Marylebone, Middlesex, daily governess.

July 4 *at* 11, *before the* CHIEF COMMISSIONER.

John Thomas Bigmore, Corrugated-row, Queen's-row, Bermondsey, Surrey, commercial clerk.—*Fred. Harvey Maw*, Star-st., Paddington, Middlesex, clerk to the Great Western Railway Company.—*Isaac Baker*, Loam-pit-vale, Lewisham, Kent, butcher.

July 4 *at* 10, *before Mr. Commissioner* LAW.

Thomas Shapley, Albany-road, Camberwell, Surrey, commercial traveller.—*Henry Patteson Smith*, Myrtle-cottage, Dalston, Middlesex, assistant draper.

Saturday, June 16.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John D'Monte Arbuthnot, Conduit-st., Bond-st., Middlesex, gentleman, No. 60,198 T.; James Holland and Alex. Wood, assignees.—*Enoch Evans*, Llanwenarth, Monmouthshire, licensed victualler, No. 71,051 C.; Thomas Vaughan Morgan, assignee.—*John Collier*, Addison-road, Notting-hill, Middlesex, gardener, No. 60,687 T.; Henry Bernard, assignee.—*Jon. Swallow*, Lockwood, near Huddersfield, Yorkshire, merchant, No. 70,997 C.; John Crow, assignee.—*R. Lees*, Oldham, Lancashire, grocer, No. 71,028 C.; George Evans, assignee.—*J. Wm. Littlewood*, Farncomb, Godalming, Surrey, attorney at law, No. 60,605 C.; Alfred Colpus, assignee.—*Jos. Adcock*, Sheffield, Yorkshire, cabinet-case manufacturer, No. 70,779 C.; George Shaw, assignee.—*Henry Powell*, Totton, Eling, Hampshire, yeoman, No. 70,859 C.; James Haddon, assignee.—*Charles Tingay Mole*, Downham-market, Norfolk, ironmonger, No. 70,868 C.; John Tyler Godfrey, assignee.—*Chas. Adamson*, Newcastle-upon-Tyne, farrier, No. 70,918 C.; Harris Michael, assignee.

Saturday, June 16.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Wadham, Royal-st., Lambeth, Surrey, dealer in crown glass: in the Gaol of Surrey.—*Thos. Chatterbuck* the elder, Worcester, attorney at law: in the Queen's Prison.—*Matthew Flinders Pearson*, Gloucester-st., Queen-square, Bloomsbury, Middlesex, newspaper writer: in the Queen's Prison.—*Patrick Neilan*, Great Turner-st., Whitechapel-road, Middlesex, ale merchant: in the Debtors Prison for London and Middlesex.—*John Winch*, High-row, Knightsbridge, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*Robert Bowie* the younger, Fowles-buildings, Tower-st., London, assistant to a surgeon: in the Debtors Prison for London and Middlesex.—*James French*, Ashton-st., Poplar, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Wm. Coldman*, Abinger, near Ockley, Surrey, licensed victualler: in the Gaol of Horsemonger-lane.—*James Peters*, Guildford, Surrey, shoemaker: in the Gaol of Horsemonger-lane.—*Edward Wilson*, Clement's-lane, and Vere-st., Clare-market, Middlesex, chandler-shop keeper: in the Debtors Prison for London and Middlesex.

(On Creditors' Petition).

Charles Dear, Enfield, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

John Davies, Swansea, Glamorganshire, painter: in the Gaol of Cardiff.—*Alex. Dolphin*, Preston, Lancashire, greengrocer: in the Gaol of Lancaster.—*Jas. Eccleston*, Sutton, Warwickshire, schoolmaster: in the Gaol of Warwick.—*Sam. Prichard*, Brecon, saddler: in the Gaol of Brecon.—*Thomas Wardhaugh*, Aston, Warwickshire, licensed victualler: in the Gaol of Warwick.—*Edw. Kenderdine*, Manchester, shoe manufacturer: in the Gaol of Lancaster.—*Jacob Lowry*, Manchester, shoemaker: in the Gaol of Lancaster.—*Wm. Leycock*, Lancaster, out of business: in the Gaol of Lancaster.—*Charles Levy*, Truro, Cornwall, jeweller: in the Gaol of Bodmin.—*John Liversidge*, Leeds, Yorkshire, hatter: in the Gaol of York.—*James Mullin*, Liscard, Cheshire, licensed victualler: in the Gaol of Chester.—*Thos. Pedder*, Preston, Lancashire, retail butter dealer: in the Gaol of Lancaster.—*Vivian Stevens*, Penzance, Cornwall, attorney's clerk: in the Gaol of Bodmin.—*Henry Wilkinson*, Habergham Eaves, near Burnley, Lancashire, foreman of a stone quarry: in the Gaol of Lancaster.—*Cuthbert Todd*, Barnard Castle, Durham, out

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of business: in the Gaol of Durham.—*C. Taylor*, Roehead, Mirfield, near Dewsbury, Yorkshire, common brewer: in the Gaol of York.—*Chas. Wainwright*, Manchester, dyer: in the Gaol of Lancaster.—*John Barton* the younger, Ulverston, Lancashire, saddler: in the Gaol of Lancaster.—*John Beaumont*, Striens-moor, Hepworth, near Huddersfield, Yorkshire, cloth manufacturer: in the Gaol of York.—*William Daws*, Whatlington, Sussex, farmer: in the Gaol of Lewes.—*John Davies*, Chester, farmer: in the Gaol of Chester.—*Richard Earnshaw*, Holmfirth, near Huddersfield, Yorkshire, cloth manufacturer: in the Gaol of York.—*William Ford*, Derby, manufacturing chemist: in the Gaol of Derby.—*Wm. John Herbert*, Brighton, Sussex, shoemaker: in the Gaol of Lewes. *Saml. Lockett*, Macclesfield, Cheshire, licensed victualler: in the Gaol of Chester.—*Benj. Moore*, Barrowford, near Colne, Lancashire, out of business: in the Gaol of Lancaster.—*John Owen*, Pontmorlais, Merthyr Tydvil, Glamorganshire, publican: in the Gaol of Cardiff.—*John Thomas*, Abergwaur, near Aberdare, Glamorganshire, engineman: in the Gaol of Cardiff.—*Vile B. Perren*, Bristol, farmer: in the Gaol of Bristol.—*Patrick M'Manus*, Fulwood, near Preston, Lancashire, marker to a billiard table: in the Gaol of Lancaster.—*Alex. Somerville*, Liverpool, author: in the Gaol of Lancaster.—*Wm. Toll* the younger, Sheviock, Cornwall, surveyor: in the Gaol of Bodmin.—*John Thornton*, Kirkby Lonsdale, Westmorland, shoemaker: in the Gaol of Appleby.—*John Reynolds*, Blissett-st., Greenwich, Kent, merchant: in the Gaol of Maidstone.—*Matthew Duffin*, Greenacres-moor, near Oldham, Lancashire, waste dealer: in the Gaol of Lancaster.—*James Mallalieu*, Rochdale, Lancashire, traveller to a cotton waste dealer.

(On Creditors' Petition).

Thomas Allen, Longton, Stoke-upon-Trent, Staffordshire, trunk maker: in the Gaol of Stafford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 4 at 10, *before Mr. Commissioner* LAW.

Robert Booth, Gibson-st., Lambeth, Surrey, carpenter.

July 5 at 10, *before Mr. Commissioner* PHILLIPS.

William Boyce, Cranmer-road, North Brixton, Surrey, licensed retailer of beer.—*Wm. Brown*, Luton, Bedfordshire, out of business.—*John Grant*, Gracechurch-street, London, fishmonger.—*James Mitchell*, Hornsey Nursery, Hornsey, Middlesex, nurseryman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN, *July 2 at* 10.

Wm. Scott, Gainsborough, licensed victualler.—*John Ingle*, Stamford, horsekeeper.

At the County Court of Kent, at DOVER, *July 26 at* 11.

Wm. Muddle, Dover, lodging-house keeper.

At the County Court of Warwickshire, at WARWICK, *June 29.*

Jas. Eccleston, Sutton, schoolmaster.—*Anthony Guidice*, Birmingham, braces manufacturer.—*Thos. Wardhaugh*, Birmingham, miller.

At the County Court of Kent, at MAIDSTONE, *July 10.*

Alexander Hen. Ring, Strood, boatbuilder.—*Wm. Hogg*, Chatham, shipwright.

At the County Court of Nottinghamshire, at NOTTINGHAM, *July 6.*

Robt. Winter, Sheffield, Yorkshire, coal miner.—*Thomas Oldham*, East Bridgford, tailor.—*James Brown*, Barlborough, Derbyshire, farmer.—*John S. Lister*, Sheffield, Yorkshire, draper.

At the County Court of Cornwall, at BODMIN, *July 4 at* 10.

Chas. Levy, Truro, jeweller.—*Wm. Toll* the younger, St. Germans, miller.—*Vivian Stevens*, Penzance, auctioneer.

At the County Court of Somersetshire, at TAUNTON, *July 2.*

Thomas R. Lord, Walcot, Bath, in no business.—*Joseph Griffin*, Orchard Portman, near Taunton, dairyman.

INSOLVENT DEBTORS' DIVIDENDS.

Christian Von Hagen, Great Queen-street, Lincoln's-inn-fields, Middlesex, baker: 1*s.* 4½*d.* in the pound.—*R. T. Ivall*, High Wycombe, Buckinghamshire, coachmaker: 1*s.* 8*d.* in the pound.—*Isaac Sims*, Sloane-terrace, Sloane-st., Chelsea, Middlesex, plumber: 5½*d.* in the pound.—*George Jenvey*, Romsey, Southampton, surveyor: 11¾*d.* in the pound.—*F. R. Williams*, Weston-place, King's-cross, Middlesex, hatter: 1*s.* 2*d.* in the pound.—*Robt. White*, Queen-street, Pimlico, Middlesex, ironmonger: 1*s.* 6*d.* in the pound.—*Strickland Muggeridge*, Paradise-ter., Liverpool-road, Islington, Middlesex, sea-coal meter: 1*s.* 11½*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

Saml. Chapman, master brewer in her Majesty's Victualling Yard, Deptford, Young's, 10, Warwick-square, Newgate-st., City: 2*s.* 2*d.* in the pound, (making with former dividends 20*s.*)—*James Marsden*, Dewsbury, Yorkshire, hat manufacturer, June 27, Berry's, Dewsbury: 4*s.* 0¾*d.* in the pound.—*John Ainley*, innkeeper, Barstow's, Halifax: 12*s.* 11*d.* in the pound.

MEETING.

Joseph Ellis, Launton, Oxfordshire, farmer, July 6 at 2, Crown Hotel, Bicester, sp. aff.

FRIDAY, JUNE 22.

BANKRUPTS.

JAMES SILVESTER, Gloucester-street, Queen-square, and Hart-street, Covent-garden, Middlesex, sauce, pickle, and preserve manufacturer, and commission salesman, June 29 and Aug. 3 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Cross, Surrey-street, Strand.—Fiat dated June 21.

RICHARD SAMUEL WHITBREAD GOYMER, late of Deal, Kent, hotel keeper, but now a prisoner confined for debt in the Gaol of Dover Castle, July 3 and Aug. 3 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Watson, Dover; Bower & Son, 46, Chancery-lane, London.—Fiat dated June 11.

SAMUEL VINES, Crutched-friars, London, corn factor, dealer and chapman, June 29 at 12, and Aug. 8 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Hill & Heald, Throgmorton-street.—Fiat dated June 19.

EDWIN LITCHFIELD, Ipswich, Suffolk, upholsterer and cabinet maker, dealer and chapman, June 29 at 1, and Aug. 8 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Ewington, Ipswich; Thwaites, 4, Lyon's-inn, Strand.—Fiat dated June 21.

WILLIAM THOMAS FERRIS, Charles-street, Westminster, Middlesex, carpenter and builder, dealer and chapman, July 7 at 2, and Aug. 4 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Pollock & Stevenson, 19, Essex-street, Strand.—Fiat dated June 20.

THOMAS TRUBY, Bicester, Oxfordshire, hardwareman, rag merchant, and general dealer, dealer and chapman, July 3 at half-past 11, and Aug. 2 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Miles, Bicester; Makinson & Saunders, Temple.—Fiat dated June 16.

WILLIAM BUTT, Winchester, Hampshire, bootmaker, dealer and chapman, June 28 at half-past 11, and Aug. 2 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Wollan, Bucklersbury.—Fiat dated June 12.

GEORGE RUSSELL, Goswell-road, Middlesex, cabinet maker, dealer and chapman, July 3 at 2, and Aug. 7 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Parker & Co., 17, Bedford-row.—Fiat dated June 21.

GEORGE FLUDE KNOTT, Leicester, boot and shoe manufacturer, dealer and chapman, July 6 and Aug. 3 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Fowkes, Leicester.—Fiat dated June 16.

JOHN BENT the younger, Kates'-hill, Dudley, Worcestershire, grocer, July 7 and Aug. 11 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Fellowes & Co., Dudley; Motteram & Co., Birmingham.—Fiat dated June 18.

WILLIAM WILKINSON, Birmingham, grocer and engraver, dealer and chapman, July 4 and Aug. 4 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Webb, Birmingham.—Fiat dated June 15.

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WILLIAM NEWTON, Bath, builder, dealer and chapman, July 3 and 31 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Watts, Bath; Whittington & Gribble, Bristol; Pinfold, Mecklenburgh-square, London. —Fiat dated June 11.

WILLIAM DALGLIESH, Liverpool, spirit merchant, dealer and chapman, July 6 and 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Bell, Liverpool; Norris & Co., Bedford-row, London.—Fiat dated June 20.

JOHN PHILIPSON, North Shields, Northumberland, printer and common brewer, dealer and chapman, July 6 and Aug. 9 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Snowball, South Shields; Johnson & Co., Temple, London.—Fiat dated June 15.

JOHN ROBSON, Sunderland, Durham, grocer, July 6 at half-past 10, and Aug. 3 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sol. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane, London.—Fiat dated June 9.

Meetings.

Jonathan Higginson and *Richard Deane*, Liverpool, merchants, July 5 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Jas. Robinson*, Kingston-upon-Hull, scrivener, July 11 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, pr. d.—*Martin Brown Bell*, Newcastle-upon-Tyne, victualler, July 6 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Jas. Hymers*, Gateshead, Durham, newspaper proprietor, July 12 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*George Melville Horton*, Hatton-garden, Middlesex, jeweller, July 13 at 11, Court of Bankruptcy, London, and. ac.—*Fred. True*, Downham-market, Norfolk, ironmonger, July 17 at 11, Court of Bankruptcy, London, and. ac.; July 20 at 1, div.—*Jas. Davies*, Weston-st., Bromley, Middlesex, builder, July 13 at 12, Court of Bankruptcy, London, and. ac.—*Alex. Burn Callender*, Mincing-lane, London, corn factor, July 17 at 11, Court of Bankruptcy, London, and. ac.—*Wm. Stothert*, *George Wood*, *John White Little*, *John Cottle Spender*, *Wm. Brunton*, *Jos. Rusher*, and *Wm. Henry Buckland*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturers, July 13 at 11, District Court of Bankruptcy, Bristol, and. ac. sep. est. of *John White Little*.—*Jos. Wooler*, Stockton-on-Tees, Durham, draper, July 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; July 19 at 12, fin. div.—*Thos. Rowell*, Hartlepool, Durham, merchant, July 17 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Thos. Tyson*, Whitehaven, Cumberland, builder, July 17 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Wm. Wylam* and *Joshua Greene* the younger, Newcastle-upon-Tyne, merchants, July 19 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, second and fin. div. sep. est. of *W. Wylam*; July 24 at half-past 10, and. ac. joint est.—*Cuthbert Smith Fenwick*, Tynemouth, Northumberland, banker, July 24 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Geo. Cradock*, Darlington, Durham, ropemaker, July 23 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; July 24 at half-past 10, fin. div.—*John Hickson*, Greengates, Eccleshill, Bradford, Yorkshire, apothecary, July 13 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Hugh Parker*, *Offley Shore*, *John Brewin*, and *John Rodgers*, Sheffield, bankers, July 14 at 10, District Court of Bankruptcy, Sheffield, and. ac. of sep. est. of *Offley Shore*, and div. sep. est. of *H. Parker*.—*G. Brier*, Kirkheaton, Yorkshire, stonemason, July 13 at 11, District Court of Bankruptcy, Leeds, and. ac.—*John Clarke* and *George Clarke*, Market-Harborough, Leicestershire, and Ropemaker-street, London, and of Burton Latimer, Isham, and Spratton, Northamptonshire, carpet manufacturers, July 17 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*Wm. Tyseloue*, Oakland-house, Ledbury, Herefordshire, schoolmaster, July 24 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*David Lees*, Wednesbury, Staffordshire, coach-step manufacturer, July 17 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*Thomas Nixon Kerr*, Biggleswade, and Holme Mills, Southill, Bedfordshire, miller, July 13 at 11, Court of Bankruptcy, London, div.—*Alfred Westley*, Holme Mills, Southill, and Biggleswade, Bedfordshire, miller, July 13 at 11, Court of Bankruptcy, London, div.—*Daniel Smith* and *Fred. Daniel Smith*, Bevor-lane, Hammersmith, Middlesex, wholesale drysalters, July 13 at 1, Court of Bankruptcy, London, div.—*Richard Miller Shorter*, Camomile-st., London, corn dealer, July 13 at 1, Court of Bankruptcy, London, div.—*John Bates*, Kettering, Northamptonshire, watchmaker, July 13 at 1, Court of Bankruptcy, London, div.—*Jos. Philip Shaw*, Mortimer-st., Cavendish-sq., Middlesex, upholsterer, July 13 at 11, Court of Bankruptcy, London, div.—*John Choate*, Ipswich, Suffolk, boot and shoe maker, July 13 at 11, Court of Bankruptcy, London, div.—*Francis Braithwaite*, Saint Nicholas, Hereford, apothecary, July 17 at 10, District Court of Bankruptcy, Birmingham, and. ac.; July 24 at 10, div.—*Benjamin Walton*, Wolverhampton, Staffordshire, japanner, July 17 at 10, District Court of Bankruptcy, Birmingham, and. ac.; July 24 at 10, div.—*Anthony Harrison*, Gateshead, Durham, alkali manufacturer, July 19 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Robert Crow*, Newcastle-upon-Tyne, draper, July 19 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John Swindell*, Ardwick, Manchester, plumber, July 20 at 12, District Court of Bankruptcy, Manchester, div.—*George Dover*, Cheltenham, Gloucestershire, builder, July 13 at 11, District Court of Bankruptcy, Bristol, div.—*James Plumley*, Bower Ashton, Somersetshire, market gardener, July 17 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Wm. Pullen*, Bradford, Yorkshire, druggist, July 13 at 11, District Court of Bankruptcy, Leeds, div.—*Robert Dorrington* and *Thomas Dorrington*, Leeds, Yorkshire, cloth merchants, July 13 at 11, District Court of Bankruptcy, Leeds, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Sharp and *Robert Lillington Fluder*, Romsey, Southampton, timber merchants, July 13 at 11, Court of Bankruptcy, London.—*Robert Barnes*, Woodbridge, Suffolk, innkeeper, July 10 at 11, Court of Bankruptcy, London.—*Joseph Oliver Lyon*, Chatteris, Isle of Ely, Cambridgeshire, farmer, July 10 at half-past 11, Court of Bankruptcy, London.—*Stephen Wise*, Conduit-st. South, Paddington, Middlesex, plumber, July 12 at 11, Court of Bankruptcy, London.—*Cuthbert Smith Fenwick*, Tynemouth, Northumberland, banker, July 24 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*James Wild*, Brecon, licensed victualler, July 17 at 11, District Court of Bankruptcy, Bristol.—*Chas. Beasley*, Bristol, mercer, July 13 at 11, District Court of Bankruptcy, Bristol.—*Robert Leaves*, Bristol, ironmonger, July 13 at 11, District Court of Bankruptcy, Bristol.—*John Lewtas*, Manchester, cabinet maker, July 19 at 12, District Court of Bankruptcy, Manchester.—*Christopher Hall*, Liverpool, corn factor, July 13 at 11, District Court of Bankruptcy, Liverpool.—*John Crossfield*, Warton, Lancashire, linen merchant, July 17 at 11, District Court of Bankruptcy, Liverpool.—*Richard Smith*, Hathern, Leicestershire, and Formarkpark, Derbyshire, tanner, July 13 at 11, District Court of Bankruptcy, Nottingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 13.

John Owen, Trefnannay, Myfod, Montgomeryshire, farmer. —*Jas. Walter*, New Kent-road, Newington, Surrey, bookseller.—*J. Peckmore*, Liverpool, baker.—*Bartholomew Dowd*, Liverpool, tailor.—*George Horton*, Russell Hall Ironworks, near Dudley, Worcestershire, ironmaster.—*Christopher Stagg* the younger, High-st., Bow, and High-st., Poplar, Middlesex, hatter.—*John Strutt*, Liverpool, silk mercer.—*Charles Maddox* the elder, Llangwm, Monmouthshire, wood dealer. —*Wm. Irving*, Birmingham, linen draper.—*Wm. Baltes Girdlestone*, Southampton, lodging-house keeper.—*Peter Woolley*, Ross, Herefordshire, woollen draper.—*T. Brown*, Nottingham-mews, High-st., Marylebone, coachsmith.—*S. Higgins*, Watling-st., London, and *Wm. Higgins*, Ledgershall, Wiltshire, drapers.—*Geo. Radford*, Alfreton, Derbyshire, builder.

Scotch Sequestrations.

James Mitchell, Drawhilling, merchant.—*John Hamilton*, Glasgow, and Millbrook, county Antrim, Ireland, cotton spinner.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Rylance, Ulnes Walton, Lancashire, agricultural labourer, July 13 at 9, County Court of Lancashire, at Chorley.—*H. Sheldon*, Hulme, Manchester, bookkeeper, June 29 at 1, County Court of Lancashire, at Manchester.—*Mary Row*, widow, Potterhanworth, near Lincoln, in no business, July 2 at 10, County Court of Lincolnshire, at Lincoln.—*Robert Owens*, All Saints, Southampton, tailor, June 30 at 10, County Court of Hampshire, at Southampton.—*William Kirkby*, Netherseal, Leicestershire, saddler, July 4 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*Saml. Chapman*, Aldborough, Norfolk, tanner, July 9 at 3, County Court of Norfolk, at Holt.—*Joseph Baxter*, Moira, Ashby-de-la-Zouch, Leicestershire, July 4 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*J. Young*, Bilston, Staffordshire, miner, June 24 at 12, County Court of Staffordshire, at Wolverhampton.—*Rich. Timmins*, Wolverhampton, Staffordshire, out of business, June 26 at 12, County Court of Staffordshire, at Wolverhampton.—*Thos. Thirlwall*, St. Cuthbert's, Carlisle, Cumberland, farmer, June 26 at 10, County Court of Cumberland, at Carlisle.—*Richard Adney*, Welland, Devonshire, clerk, July 12 at 10, County Court of Devonshire, at Tiverton.—*John Roberts*, Blockhouse, Worcestershire, cabinet maker, July 11 at 10, County Court of Worcestershire, at Worcester.—*Henry Hughes*, Congleton, Astbury, Cheshire, innkeeper, June 29 at 10, County Court of Cheshire, at Congleton.—*James Ross*, Lambley, Nottinghamshire, bag hosier, July 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Wm. Hinks*, Nottingham, boatman, July 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Thos. Turnham*, Leighton Buzzard, Bedfordshire, butcher, July 11 at half-past 1, County Court of Bedfordshire, at Leighton Buzzard.—*Richard Davis*, Wolverhampton, Staffordshire, stocktaker, June 26 at 12, County Court of Staffordshire, at Wolverhampton.—*George Wilkes*, Fairford, Gloucestershire, plumber, July 5 at 10, County Court of Gloucestershire, at Cirencester.—*Henry Mettam*, Sheffield, Yorkshire, horn cutter, July 4 at 10, County Court of Yorkshire, at Sheffield.—*John Harvey*, South Croxton, Leicestershire, farmer, July 3 at 10, County Court of Leicestershire, at Leicester.—*Thomas Forster*, Birmingham, retail brewer, July 16 at 2, County Court of Warwickshire, at Birmingham,—*George Salter*, Birmingham, canal carrier, July 16 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Thomas*, Birmingham, accountant, July 16 at 2, County Court of Warwickshire, at Birmingham.—*Thos. Brown*, Sutton-in-Ashfield, Nottinghamshire, wheelwright, July 3 at 9, County Court of Nottinghamshire, at Mansfield.—*John Wainwright*, Nottingham, baker and flour dealer, July 6 at 9, County Court of Nottinghamshire, at Nottingham.—*S. Davis*, Nottingham, dealer in cigars, July 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Edward Gill*, Chardstock, Dorsetshire, yeoman, July 9 at 10, County Court of Devonshire, at Axminster.—*William Vernham*, Horsham, Sussex, licensed victualler, July 10 at 12, County Court of Sussex, at Horsham.—*George Sims*, Lincoln, coachman, July 9 at 10, County Court of Lincolnshire, at Gainsborough.—*Edmund Gandy*, Boughton Monchelsea, Kent, painter, July 10 at 12, County Court of Kent, at Maidstone.—*John Perkins*, Gainsborough, Lincolnshire, saddler, July 9 at 10, County Court of Lincolnshire, at Gainsborough.—*W. Grattidge*, Birmingham, hosier, July 16 at 2, County Court of Warwickshire, at Birmingham.—*Henry Akerman*, Birmingham, attorney's clerk, July 16 at 2, County Court of Warwickshire, at Birmingham.—*Joseph Porta*, Birmingham, greengrocer, July 16 at 2, County Court of Warwickshire, at Birmingham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 7 at 10, *before Mr. Commissioner* PHILLIPS.

Chas. Fred. Nicholls, Threadneedle-st., London, tailor.—*Edw. Dade*, Buckingham-road, Kingsland-road, Middlesex, warehouseman.—*S. Gwilliams*, Park-grove-cottages, Park-road, Dalston, Middlesex, gardener.—*Wm. H. M. Nicholls*, Camera-sq., Chelsea, and Pall-mall, Middlesex, tailor.

July 8 at 10, *before Mr. Commissioner* PHILLIPS.

Mary King, widow, Paris-st., Lambeth, Surrey, licensed victualler.—*Wm. Greenstreet*, Champion-hill, Camberwell, Surrey, gardener.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 6 at 11, *before Mr. Commissioner* HARRIS.

John Brace, Charlotte-terrace, New-cut, Lambeth, Surrey, out of business.—*Wm. J. Gilbert*, Francis-place, Friar-st., Blackfriars-road, Surrey, out of business.—*Saml. G. Carrell*, Caroline-cottages, St. Ann's-road, Brixton, Surrey, out of business.—*Chas. H. R. Harrison*, Lansdown-road, Stockwell, Surrey, surgeon.—*William Hallett* the younger, Croydon, Surrey, out of business.—*Edward Smith*, Canterbury-street, York-road, Lambeth, Surrey, in no business.—*A. Symmons*, St. Andrew's-road, Newington, Surrey, out of business.

July 9 at 11, *before the* CHIEF COMMISSIONER.

James Harding, Mill Meads, Guildford, Surrey, architect.—*Richard E. M'Kenna*, Webb's County-terrace, New Kent-road, Surrey, not in any business.—*Chas. Mills*, Seymour-st., Euston-sq., Middlesex, out of business.—*Henry H. Harper*, Carlisle-st., Soho-sq., Middlesex, commission agent.—*Benj. Hope*, Thavies-inn, London, and Ely-pl., Holborn, Middlesex, attorney at law.—*Robt. Hen. Wm. Bartlett*, Epsom, Surrey, attorney at law.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Wm. Roscoe Bardswell, Liverpool, traveller to a brewer, No. 70,907; Robt. Turner, assignee.—*Thos. Forbes*, Prestwich, near Manchester, plumber, No. 71,008; J. Livingston, assignee.—*Edmund Miller*, Chorlton-upon-Medlock, Manchester, out of business, No. 70,961; William Tomkinson, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *July 6 at* 11.

James Bradley Wardle, Liverpool, clerk in the Post-office, Liverpool.—*Wm. Boond*, Egremont, near Liverpool, debt collector.—*Wm. Beamer*, Liverpool, joiner.—*R. Standing*, Waddington, near Clitheroe, butcher.—*Mark Grimshaw*, Manchester, brassfounder.—*Roger Roscoe*, Chorley, carder in a cotton factory.—*Edmund Wallington*, Salford, joiner.—*John Hornby*, Chorlton-upon-Medlock, Manchester, grocer.—*Chas. Wainwright*, Longsight, near Manchester, out of business.—*James Mallalieu*, Rochdale, traveller to a cotton waste dealer.—*Alex. Somerville*, Liverpool, author.—*John Bebbington*, Manchester, tripe dresser.—*Robert M. Rigby*, Liverpool, baker.—*Thomas Till*, Manchester, manager of a billiard room.—*Samuel Lord*, Blackburn, cotton spinner.—*Wm. Hughes*, Liverpool, joiner.—*John Moulding*, Blackburn, out of business.—*Thomas A. Phillips*, Preston, commission agent.—*Thos. Newton*, Blackburn, cotton spinner.—*James Oakes*, Salford, dealer in tobacco pipes.—*David Pepper*, Liverpool, grocer.—*John Barton* the younger, Ulverstone, jobbing saddler.—*Jacob Lowry*, Manchester, shoemaker.

At the County Court of Brecknockshire, at BRECKNOCK, *July 9 at* 10.

Samuel Prichard, Brecon, saddler.

At the County Court of Gloucestershire, at GLOUCESTER, *July 9 at* 10.

John Trinder, Bisley, mealman.

At the County Court of Cheshire, at CHESTER CASTLE, *July 7 at* 10.

Joseph Hall, Chester, baker.—*Joseph Platt*, Ravensmoor, near Nantwich, attorney at law.—*Saml. Hulme*, Siddington, labourer.—*Thos. Edgerley*, Davenham, near Northwich, out of business.—*Thos. Hyde*, Macclesfield, tailor.—*J. Davies*, Chester, out of business.—*Randle Bower*, Woodhead, near Mottram, Longdendale, cattle dealer.—*Saml. Lockett*, Macclesfield, out of business.—*Samuel Lees*, Micklehurst, near Mottram, Longdendale, cotton waste dealer.—*James Mullin*, Liscard, tailor.

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The Jurist

No. 651—Vol. XIII. JUNE 30, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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LONDON, JUNE 30, 1849.

The principle on which compensation is usually given, when any legislative proceeding interferes with what are called vested rights, is not always easy to be understood. We are led to these remarks by the perusal of what has passed in the House of Commons in respect to the bill brought in by Lord Dudley Stuart for giving power to persons, made defendants in the Palace Court, to remove the proceedings into a county court; and in respect to the bill promised by the Attorney-General for abolishing the Palace Court. The difference between the two bills appears to be material: the first does not seem, primâ facie, to call for compensation to the holders of purchased offices in the Palace Court, although it will most effectually reduce the value of those offices; the second will, according to all practice, require, and it has been intimated will provide for, such compensation. With regard to the first bill, it is said that it does not touch the existence of the Palace Court; that it leaves that Court to get, as it did before, what business it can; and leaves untouched the monopoly of its practitioners: that, therefore, there is no case raised by it for compensation to the practitioners, their offices being their vested rights only as monopolies of the business of the Court, and not otherwise. If that is so, the right to compensation for the loss of a right lawfully purchased, and therefore what is designated by the term "vested right," would seem to depend on a question of form, viz. whether the right itself is destroyed, or whether it is rendered valueless by destroying and removing the subject-matter on which it attaches.

The Palace Court was, as most persons know, created letters-patent in the reign of Charles I; and its jurisdiction was, by the patent, very extensive, comprising all personal actions whatever between parties residing within twelve miles of the Palace at Whitehall, the limit to its business being determined by there being a writ of error out of it to the Court of Queen's Bench, and by causes of any magnitude being removable at once to the Queen's Bench or Common Pleas by a writ of habeas corpus cum causâ. Subject to these grounds of removal, any person within the prescribed limits could, and can still, sue in the Palace Court*; and of course, subject to these grounds of removal, the party so sued must appear in the Palace Court, and swell its business.

How the places of the counsel and attornies came to be lawfully the subject of purchase, we are not aware, nor is it very material to inquire, as it seems admitted that they are so. The Legislature has long since treated their possessors as entitled to compensation for the indirect injury created by the establishment of rival courts, likely to abstract business from the Palace Court. This was

* Whether the patent creating the Palace Court is not void may be, and has been, made a question, as may be seen by those who sufficiently affect black letter to refer to the case of *Inman* v. *Batten*, (Siderfin, 180), in which is the following passage:—"Nota ceux del Marshalsey ont letters-patents pur deux courts, l'un del Pallace et lauter del Marshalsey, et in declar come est court del Pallace, plaintiff doet averr que nul est del hostel le roy, mes in declar come est court del Marshalsey plaintiff doet averr que ambideux sont del hostell, et Keeling, Justice. *Semble, que les letters-patents pur erecting le Pallace Court fueront void*, et que chescun que fuit pris per cullour de lour proces poit aver faux imprisonment." The ground of the semble that occurred to the learned judge is not stated. It was probably this—that the Crown had no power, by its letters-patent, to create a court with general jurisdiction, though it might create such a court as the Marshalsea, with jurisdiction as between the members of the King's household.

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done so far back as the 23 Geo. 2, c. 27, which, establishing the old Westminster Small Debts Court, gave to each of the four counsellors of the Marshalsea and Palace Courts an annuity of 20*l.* a year, on the ground, that, holding these offices for their lives, and having been made chargeable therefore in respect of their freeholds, they would sustain great loss by the act, unless compensation should be made to them.

If, therefore, the patent under which the Court acts is valid, and if the Legislature, in the 23 Geo. 2, c. 27, acted on a sound principle, as regards the ground of compensation for injury to vested rights, there can be no question, that, whether the Palace Court be abolished, or whether its business be driven away from it, by giving power to any party brought before it to take the cause to a county court, the counsel and attornies will sustain great loss, and, therefore, ought to have compensation.

But it may be a very serious question, whether the Legislature did, in the 23 Geo. 2, act upon the true principle, in regard to such vested rights as we are considering; and whether the extent of the vested rights of the practitioners in the Palace Court (or in any other court possessing a special monopoly) is not merely an exclusive right to practise in that court—not a right to exclude the Legislature from erecting a concurrent jurisdiction. If having an interest not only in the continuance of a court, but in the absence of any other court, and being subjected to taxation, be the test of a right to compensation, every counsel and attorney practising in the courts of common law had a claim for compensation on the creation of the county courts, which, unquestionably, caused them considerable loss. But the Legislature has not adopted, nor has any one ever dreamed that it should have adopted, that test. The interest of a practitioner in the exclusive existence of his court may be increased in amount, but is not varied in character, by his having an exclusive privilege to practise. The fact seems to be, that the right of property that the holder of a privileged office in a court has in it, is a property in the office, and no more. If the office is abolished, or if, being in the nature of a monopoly, participants are introduced, his right of property is invaded, and his right to compensation accrues. But if, leaving his office untouched, not only as to its existence, but as to its exclusiveness in the court, the Legislature creates another court, or enables the Queen's subjects to apply to another court already existing, has the holder of the office any greater ground for saying that his right of property is invaded, than the tollkeeper of the sole road between two points would have, if the Legislature thought fit to permit the making of a second road?

We conceive the true principle is this—that the holder of an office has a vested right in the continuance of his office, but that he has not necessarily, though he may have under circumstances, a vested right in the continuance of the state of things that furnishes the pabulum wherewith his office is nourished.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Francis John Sheppard, of Wells, Somersetshire; George Spackman, of Bradford, Wiltshire; George Holford, of Manchester; Thomas Perrior Fleetwood, of Maidstone, Kent.

THE JOINT-STOCK COMPANIES WINDING-UP ACT, 1848, (11 & 12 VICT. c. 45).

Many of the cases upon the Winding-up Act are collected and commented upon in an able article, ante, p. 122. Some of these cases have since been affirmed on rehearing. One of the most important has been reversed, and several new decisions have been reported. As the subject is one of considerable importance, and of very general interest at this moment, we venture to offer a short notice of the additional cases, which must be considered supplementary to the article (ante, p. 122) already referred to, as by another hand.

Sect. 1. *As to the Companies within the Act.*—The most important decision on this section is, that railway companies formed after the passing of the 7 & 8 Vict. c. 110, only provisionally registered under that act, and which have abandoned their purpose before obtaining an act of Parliament, are within the Winding-up Act.

Vice-Chancellor Knight Bruce seems to have held this doctrine in the case of *Re The Brighton, Lewes, and Tonbridge Wells Direct Railway Company*, (1 De G. & S. 604); but in the subsequent case of *Ex parte Barker, In re The London and Manchester Direct Independent Railway Company*, (13 Jur. 182, and noticed ante, p. 122), on more mature consideration, his Honor seems to have changed that opinion. The Lord Chancellor, however, on a rehearing of the last-mentioned case before him, (reported 13 Jur. 395), reversed his Honor's decision, and decided, in conformity with the view of the Editor of THE JURIST, (stated ante, p. 61), that such railway companies were, in their imperfect condition, within the provisions of the Winding-up Act.

To include railway companies of the nature we have mentioned, if formed before the passing of the Winding-up Act, they must be within the description given in the 7 & 8 Vict. c. 110, s. 2, or c. 111, s. 1; i. e. they must be considered companies "established" for "commercial purposes," or for "purposes of profit;" or, in the language of the latter act, "associated" for "commercial or trading purposes." The Lord Chancellor, in his judgment in the last-mentioned case, said that the company then in question would have come within the Winding-up Act, if formed after its passing by the force of the last clause of the 1st section. The company was exactly in the condition described above; and it was argued, that it was only associated for the purpose of obtaining an act of Parliament; that it could not trade nor contract, and therefore could not be said to be formed for a commercial purpose. His Lordship, however, considered that the purpose was to make a railway to carry passengers and goods—to "manufacture engines, &c. for the purpose of deriving profit, either by using them for carrying goods, or letting them to others for that purpose." The manufacture of goods for either purpose appeared to his Lordship a commercial speculation within the terms of the 7 & 8 Vict. c. 111, and therefore the Winding-up Act applied to such company.

The case of *Ex parte Spackman, in re The Agricultural Cattle Insurance Company*, has also been reheard before the Lord Chancellor. (See 13 Jur. 415). His Lordship avoided giving an opinion on the question whether this company was within the act, but dismissed the appeal, with costs, on the ground that no case was made for applying the act; none of the tests of insolvency therein specified being shewn to exist, and the company not having been dissolved. (See 1 De G. & S. 599; 13 Jur. 415).

A number of cases is reported in 1 De G. & S. The first of these gives the forms of the petition, of the order of reference to the Master, and of the list of con-

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butories under the act. (*Re The North of England Banking Company*, 1 De G. & S. 545).

Then follow decisions as to who are contributories within the definition in sect. 3: of these, *Fenwick's case* (p. 537) and *Reaveley's case* (p. 550) are noticed, (ante, p. 122). We subjoin some additional cases on this subject.

In one of these, Mrs. A., wife of J. A., was registered, by such description, as proprietor of shares, purchased with monies arising from her separate estate, in the North of England Joint-stock Banking Company. J. A. sometimes received the dividends, but only as his wife's agent, signing the receipts "for M. A.," and never in his own name alone. In 1847, J. A.'s name was substituted for his wife's in the list of shareholders returned to the Stamp-office, but without the concurrence or knowledge of himself or his wife. Subsequently to that date a claim was made upon J. A. for calls, which he refused to pay. A creditor of the company brought an action against J. A., in the Exchequer, for the amount of his debt, which action was pending at the time of the petition. J. A. had attended shareholders' meetings as though he held shares in his own right. The Vice-Chancellor held, that the husband's name was not properly placed on the list of contributories, there being no evidence that the company ever considered they had any rights in respect of the shares except as regarded the wife, and that, as between the company and the husband, he was not liable, whether or not he was liable to the creditors of the company. On appeal, the Lord Chancellor directed the matter to stand over till the result of the creditor's action in the Exchequer should be known; and it seems this has since been decided, acquitting the husband of all liability. Are we to conclude that the Lord Chancellor thought the question of liability to the company's creditors important in the determination of the other question, as to the husband being a contributory? (*Re The North of England Banking Company, Angas's case*, 1 De G. & S. 560).

In *Armstrong's case* the question was, whether W. Armstrong, possessed of certain shares in the company as executor and trustee of the will of J. H., was personally liable, or only as executor; and it appearing that he had signed receipts for the dividends as "executor of J. H.," and also on consideration of the special provisions of the company's deed, the Vice-Chancellor decided, that, as between himself and the company, Armstrong was not personally liable. On appeal, it seems that the Lord Chancellor directed it to stand over until the result of an action at law, by a creditor of the company, against Armstrong, should be known. (*Armstrong's case*, 1 De G. & S. 565).

R. H., the holder of eighteen shares in the North of England Banking Company, on the 2nd January, 1847, three years before the petition, transferred them to J. C. Article 26 of the company's deed of settlement provided, that, on the transfer of shares to a new holder, the responsibility of the previous holder should cease, except as to his proportion of the losses, if any, sustained by the company up to the period of his ceasing to be such holder. The official managers, one of whom was a continuing shareholder in the company, summoned R. H., under sect. 81 of the statute, to shew cause why his name should not be placed on the list as a contributory; and his name was inserted by the Master, as liable, in respect of eighteen shares, to the debts and losses of the company up to the 1st January, 1847, the day before the date of the transfer. It was argued that R. H. was not, in the first instance, liable to the creditors of the company, and that his name ought not to be placed on the list till the funds of the company, and the means of the continuing shareholders, were exhausted; and also, that one of the official managers, being a continuing shareholder, was bound to indemnify R. H., and had no claim to place his name on the list. The Vice-Chancellor, however, held, that R. H. was properly included among the contributories, overruling the objection raised on account of one of the official managers being a continuing shareholder. His Honor said, that, between R. H. and other former shareholders who had transferred their shares in like manner, there clearly existed a right of contribution, and therefore liability. It appeared that there was one such shareholder upon the list. That the insertion of R. H.'s name did not conclude the course of his liability; that arrangement would take place thereafter, under the 83rd section. (*Hawthorn's case*, 1 De G. & S. 571). On appeal, the Lord Chancellor affirmed the Vice-Chancellor's judgment, referring to the 84th section, as shewing that the list was to consist of all who were liable to contribute, not of any particular class only, and that the degree of liability was to be determined afterwards. (*Ex parte R. Hawthorn*, 1 M'N. & G. 49).

The executrix of a shareholder, although she had not received any dividends, but repudiated the profits, liabilities, and engagements of the company, and the testator's estate had been exhausted in payment of his debts, not amounting originally to more than 20*l.*, was properly named a contributory, as executrix, on the list. (*Thomas's case*, 1 De G. & S. 579).

Where a shareholder did all in her power to transfer her shares to a purchaser, but the proper assent was not obtained from the company, owing to negligence of the directors, before the company stopped payment, the original shareholder was held to be properly named a contributory. (*Chartres's case*, 1 De G. & S. 581).

The official managers placed Mrs. H.'s name on the list of contributories, required by sect. 78, as executrix of Mr. H., deceased, and gave her notice of the insertion of her name as such executrix, under sect. 78. Her solicitor then attended before the Master, and insisted that her name should not be inserted at all. The Master, after hearing the evidence, altered the insertion of her name by striking out the qualification. It was argued, before the Vice-Chancellor, that the Master had not authority to make such an alteration, under the notice which had been given. The Vice-Chancellor would not intimate whether a new notice ought to be first given; but he said that he could not hold that the lady had waived the objection to the existing notice; and that the proper course was to request the Master to review his report, which would open every question; and the parties might then argue the matter before him on the merits. (*Hutchinson's case*, 1 De G. & S. 563). So, where a man who had received the dividends on shares, the property of his deceased brother, as his brother's representative, without having, in fact, taken out administration, and the notice was, that the official manager had inserted his name, qualified as representative of his brother, it was decided that the Master had no authority, after such notice, to insert his name without qualification. (*Glaholme's case*, 1 De G. & S. 583). This case was affirmed on appeal. (1 H. & T. 123).

The next case we notice is one shewing what compromise may lawfully be made by the official manager, under the authority of sect. 88.

T. H., deceased, had been the holder of 280 shares in a company whose affairs were being wound up under the statute, and had personally joined in guaranteeing a debt owing by the company. The official manager claimed to place the name of Mrs. H., executrix and residuary legatee of T. H., on the list of contributories. This was opposed, and, under sect. 88, the official manager agreed to a compromise with Mrs. H., on the terms that she should pay 2000*l.* to him, by two instalments of 1000*l.* each; one on the confirmation of the compromise by the Master; the other on the 30th July, 1849; Mrs. H. to take the proper steps to obtain

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confirmation by the Court of Chancery, the official manager appearing and consenting; and immediately afterwards Mrs. H. to enter into a deed of covenant with the official manager to pay any further call upon her testator's estate, to the amount of the further sum of 1000*l.*, and execute a first charge on the said estate to secure the performance of the covenant; and it was agreed that Mrs. H. should not be called upon to pay any sum beyond the first 2000*l.* until the debt of the company guaranteed by T. H. should have been satisfied; and that she should recover from the company any sums she might have to pay in respect of that or any other guarantee or liability, or deduct the same from the further sum of 1000*l.* to be paid by her in case of any further call as aforesaid: these terms to be a compromise of all claims, but without prejudice to any right to enforce payment of certain balances of 4035*l.* 7*s.* 6*d.*, in respect of the then present call, if Mrs. H. should fail in performing the agreement.

The compromise was approved by the Master, who signified such approval by writing the same in the margin of the memorandum of agreement; and, at the request of Mrs. H., he gave out a special certificate thereof. On motion, upon notice, the official manager appearing by counsel to consent, the Vice-Chancellor confirmed the compromise. (*Re Nister Dale Iron Company, Hughes's case*, 1 De G. & S. 601).

It seems very probable that the construction of this statute will occupy the attention of the Profession for some time to come; and we have, therefore, thought that this short summary of the cases at present reported may not be unacceptable. E. E. K.

London Gazettes.

TUESDAY, June 26.

BANKRUPTS.

STRATFORD ALFRED EYRE, Fitzroy-street, Fitzroy-square, Middlesex, apothecary, dealer and chapman, July 3 at half-past 12, and Aug. 10 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Gadsden & Flower, 28, Bedford-row.—Fiat dated June 19.

JANE BOLTON, Pall-mall, Westminster, Middlesex, tailor, dealer and chapman, July 3 at half-past 1, and Aug. 10 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lindsay & Mason, 26, Gresham-street.—Fiat dated June 14.

LEONARD JUST, senior, of Jerusalem-passage, Middlesex, lately carrying on trade at Saint John-square, Clerkenwell, Middlesex, under the style or firm of Just & Son, together with Leonard Just the younger, of Canton, China, watch manufacturers, dealers and chapmen, July 2 at 12, and Aug. 13 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Scarman, Gresham-rooms, Basinghall-street, London.—Fiat dated June 18.

JOHN WILLIAM EDMONDS, High-street, Poplar, Middlesex, victualler, dealer and chapman, July 6 and Aug. 11 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Carritt & Osgood, Basinghall-street. — Fiat dated June 22.

EDWIN LITCHFIELD, Ipswich, Suffolk, upholsterer and cabinetmaker, dealer and chapman, July 3 at half-past 2, and Aug. 7 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Ewington, Ipswich; Thwaites, Lyon's-inn, Strand.—Fiat dated June 21.

PHIDIAS GEORGE NAPOLEON CLARKE, Barton-upon-Irwell, Lancashire, and King-street, Manchester, sculptor and modeller, dealer and chapman, July 9 and 30 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Gamon, Manchester; Gregory & Co., Bedford-row, London.—Fiat dated June 19.

WILLIAM WILSON, Houghton-le-Spring, Durham, maltster, grocer, and draper, dealer and chapman, July 6 at half-past 12, and Aug. 10 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Young & Harrison, Sunderland; Maples & Co., Frederick's-court, Old Jewry, London.—Fiat dated June 15.

HENRY COLLINGS, Wickwar, Gloucestershire, innkeeper, farmer, dealer and chapman, July 10 and Aug. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Ayre, jun., Bristol; Boykett, Chancery-lane.—Fiat dated June 8.

ANDREW M'LELLAN, Sheffield, Yorkshire, draper, July 7 and 28 at 10, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Broadbent, Sheffield; Taylor, Furnival's-inn, London.—Fiat dated June 14.

SARAH GREAVES EYRE, Leeds, Yorkshire, innkeeper, July 12 and 27 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Dunning & Stawman, Leeds.—Fiat dated June 23.

JOHN WILKINSON, Liverpool, brassfounder, dealer and chapman, July 9 and 30 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Dodge, Liverpool; Bridger & Collins, King William-street, London.—Fiat dated June 21.

LUKE ELLIOTT the younger, Rochdale, Lancashire, chemist and druggist, and drysalter, July 12 and 27 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Molesworth, Rochdale; Capes & Stuart, Gray's-inn, London.—Fiat dated June 21.

Meetings.

Thomas Paten, Worthing, Sussex, lodging-house keeper, July 6 at half-past 1, Court of Bankruptcy, London, ch. ass.—*Mark Cooke* and *Wm. Hen. Cooke*, Denton, Lancashire, hat manufacturers, July 10 at 12, District Court of Bankruptcy, Manchester, last ex.—*Wm. Bolton Girdlestone*, Southampton, boarding and lodging house keeper, July 17 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John Henry Stulpner* and *Deidrich Carsten Herman Lomer*, Mark-lane, London, merchants, July 17 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John Marsh Butler*, Aylesham, Norfolk, saddler, July 18 at 11, Court of Bankruptcy, London, aud. ac.—*Chas. Mayhew*, Ebury-street, Pimlico, Middlesex, hosier, July 18 at 11, Court of Bankruptcy, London, aud. ac. and div.—*Chas. Barnett*, Basinghall-street, London, stationer, July 18 at 11, Court of Bankruptcy, London, aud. ac.—*John Watson Burton*, *Geo. Colman*, and *Wm. Smith*, Manchester, and also of Leeds, Yorkshire, manufacturers, July 19 at 12, District Court of Bankruptcy, Manchester, aud. ac. joint est. of *John Watson Burton* and *William Smith*.—*John Kenyon Winterbottom*, Heaton Norris, Manchester, banker, July 19 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*George Morton*, Leeds, Yorkshire, paper stainer, July 19 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Richard D. Pawson*, Leeds, Yorkshire, apothecary, July 19 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*James Greenwood*, Bradford, Yorkshire, worsted spinner, July 19 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Danks*, Birmingham, wharfinger, July 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. W Batchelor*, Worcester, woollen draper, July 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*James Hodges*, Wolverhampton, Staffordshire, stock lock maker, July 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Moira Maclean*, Basinghall-street, London, cloth factor, and Stroud, Gloucestershire, clothier, July 17 at 1 Court of Bankruptcy, London, div.—*Saml. Carrell*, Mincing-lane, London, broker, July 18 at half-past 11, Court of Bankruptcy, London, div.—*William Trap*, Warminster, Wiltshire, mason, July 18 at half-past 12, Court of Bankruptcy, London, div.—*Edward Thomas Andrews*, Southampton, ironmonger, July 18 at 1, Court of Bankruptcy, London, div.—*Samuel Mobbs*, Alfred-place, Alexander-square, Brompton, Middlesex, coal merchant, July 18 at 12, Court of Bankruptcy, London, div.—*Benj. Bovill* and *Capel Hanbury*, Catherine-court, Tower-hill, London, corn factors, July 14 at 12, Court of Bankruptcy, London, fin. div.—*John S. Story*, St. Albans, Hertfordshire, banker, July 18 at 1, Court of Bankruptcy, London, div.—*Walter Richardson*, King-street, Covent-garden, Middlesex, wine merchant, July 14 at 12, Court of Bankruptcy, London, fin. div.—*Joseph Ivey Baker* and *William Bennett Baker*, Wolverhampton, Staffordshire, iron dealers, July 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on before the Day of Meeting.

Thomas Hebard, Old Trinity-house, Water-lane, Tower-

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street, London, merchant, July 17 at 12, Court of Bankruptcy, London.—*Fred. Edward Ball*, Christchurch, Hampshire, out of business, July 17 at 12, Court of Bankruptcy, London.—*Mark M'Giverin*, Manchester, smallware manufacturer, July 19 at 12, District Court of Bankruptcy, Manchester.—*Samuel Hignett*, Houlston, and Middle, Shropshire, maltster, July 19 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 17.

George Roberts, Southampton, Hampshire, grocer.—*Nicholas Butler*, Portsea-place, Edgeware-road, Middlesex, wholesale stationer.—*Thomas Nunn*, Colchester, Essex, coal merchant.—*James Wood*, Leeds, Yorkshire, joiner.—*Edward Emans*, Liverpool, merchant.—*James Williams*, St. George's-place, Back-road, St. George's East, Middlesex, tailor.—*John Winder* and *Richard Fisher*, Liverpool, merchants.—*George Crookes*, Sheffield, Yorkshire, bookseller.—*Alexander Mackay*, Chundernagore, East Indies, merchant.—*Henry Dunk*, Chatham, Kent, timber merchant.—*William Laird*, Birkenhead, Cheshire, merchant.

PARTNERSHIPS DISSOLVED.

James Haywood and *John Webb*, Birmingham, attornies and solicitors, (under the firm of Haywood & Webb).—*Geo. Morris Barker* and *Henry Moore Griffiths*, Birmingham, attornies-at-law, solicitors, and conveyancers, (under the firm of Barker & Griffiths. The practice will be continued by the said Henry Moore Griffiths).

SCOTCH SEQUESTRATIONS.

George Patterson, Renfrew, commission merchant.—*James Aitchison*, Old Castles, Chirnside, Berwickshire, merchant.—*John Scott*, Edinburgh, tobacconist.—*James Smyth*, Whitchester, Berwickshire, deceased.—*Robert Meek*, Glasgow, grain merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Watson, King's Lynn, Norfolk, jeweller, July 14 at 4, County Court of Norfolk, at King's Lynn.—*J. Casburn*, Woolpit, Suffolk, excise officer, July 14 at 4, County Court of Norfolk, at King's Lynn.—*Wm. W. Thoroughgood*, Maidenhead, Berkshire, licensed retailer of beer, July 5 at 10, County Court of Berkshire, at Windsor.—*John W. Willer*, Ashford, near Staines, Middlesex, master of the Ashford Parochial School, July 5 at 10, County Court of Berkshire, at Windsor.—*George Bryan*, Liverpool, provision dealer, July 2 at 10, Liverpool District County Court, at Liverpool.—*James Allen*, Liverpool, brassfounder, July 2 at 10, Liverpool District County Court, at Liverpool.—*Thos. Beddows*, Birkenhead, Cheshire, butcher, June 29 at 10, County Court of Birkenhead, at Chester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 10 *at* 11, *before Mr. Commissioner* HARRIS.

Henry Sadler, Whittington-place, Holloway-hill, Islington, Middlesex, baker.—*Wm. Nowell*, Francis-st., Newington, Surrey, hatter.

July 11 *at* 11, *before the* CHIEF COMMISSIONER.

James Nott, Westminster-bridge-road, Lambeth, Surrey, hairdresser.—*Wm. Maugham*, Berkeley-villas, Loughborough-park, Brixton, Surrey, consulting chemist.—*Jas. Fred. Haskins*, Peter-st., Sun-st., Bishopsgate-st., London, professor of music.

July 11 *at* 10, *before Mr. Commissioner* LAW.

George Ryan, Portland-place, St. Mark's-road, Camberwell New-road, Surrey, short-hand writer.—*Alfred Chenu*, Road-side, Mile-end-road, Middlesex, tobacconist.

July 12 *at* 10, *before Mr. Commissioner* LAW.

Edward Graham, Northampton-street, Lower-road, Islington, Middlesex, out of employ.

Saturday, June 23.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Lambert, Gloucester-place, Camden-town, Middlesex, grocer, No. 60,540 C.; John Chaffer Moysey, assignee.—*W. Carrell*, Southsea, Hampshire, builder, No. 70,990 C.; Thos. Geo. Broughton, assignee.—*James Bird*, Bury St. Edmund's, Suffolk, butcher, No. 71,002 C.; Thomas Pattle, assignee.—*Abraham Wm. Empy*, Ingram-place, Hornsey-road, Holloway, Middlesex, smith, No. 60,248 T.; George Flowers, assignee.—*Hugh Doherty*, Pall-mall, Westminster, Middlesex, proprietor of the weekly newspaper called The World, No. 18,939 O.; James Callard Davies, assignee.—*Hugh Doherty*, formerly a prisoner in the King's Bench Prison, No. 6435 O.; James Callard Davies, assignee.

Saturday, June 23.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Bolton, Church-st., Chelsea, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Jas. Green*, King-st., Regent-st., Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Joseph Harris*, Edward-st., Stepney, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Thos. Wenham*, Queen's Prison, Surrey, gentleman: in the Gaol of Horsemonger-lane.—*Thos. Fletcher*, Earl-st., Lisson-grove, Middlesex, carman: in the Debtors Prison for London and Middlesex.—*John Mynn*, Queen-st., Brompton, Middlesex, out of business: in the Queen's Prison.—*John Luke Percy*, Roehampton-place, Vauxhall-bridge-road, Middlesex, builder: in the Queen's Prison.—*Fortescue Hitchins*, Regent-st., Middlesex, tailor: in the Queen's Prison.—*Joseph Levy*, Little St. Mary Axe, Houndsditch, London, wholesale stationer: in the Queen's Prison.—*John Acott Baigant*, Windlesham, near Bagshot, Surrey, farmer: in the Gaol of Horsemonger-lane.—*Frederick Edward Kelsey*, Marine-st., Dockhead, Surrey, dairyman: in the Gaol of Horsemonger-lane.—*John Bourke Ricketts*, Norris-st., Haymarket, Middlesex, not in any trade: in the Debtors Prison for London and Middlesex.—*Jas. Cordner*, Coxgreen, Durham, quarryman: in the Gaol of Durham.—*Geo. Davison*, Leeds, Yorkshire, commission agent: in the Gaol of York.—*Peter French*, Worthing, Sussex, carpenter: in the Gaol of Petworth.—*John Hargreaves*, Cowling, near Colne, Lancashire, weaver: in the Gaol of Lancaster.—*John Jennings* the younger, Upper Marsh, near Halifax, Yorkshire, farmer: in the Gaol of York.—*John Moulding*, Blackburn, Lancashire, beer-house keeper: in the Gaol of Lancaster.—*Thomas Armitage Phillips*, Preston, Lancashire, oil dealer: in the Gaol of Lancaster.—*David Pepper*, Liverpool, shopman to a provision dealer: in the Gaol of Lancaster.—*John Palmer*, Worthing, Sussex, plumber: in the Gaol of Petworth.—*Thos. Ridley*, Durham, miner: in the Gaol of Durham.—*William Stansfield*, Idle, near Bradford, Yorkshire, grocer: in the Gaol of York.—*Alex. Silvani*, Brighton, Sussex, dealer in fancy goods on commission: in the Gaol of Petworth.—*J. Wilson*, Ryton, Durham, surgeon: in the Gaol of Durham.—*J. Bebbington*, Manchester, tripe dresser: in the Gaol of Lancaster.—*Geo. Dixon*, Cirencester, Gloucestershire, grocer: in the Gaol of Gloucester.—*W. Hughes*, Liverpool, joiner: in the Gaol of Lancaster.—*J. Jones*, Liverpool, quarryman: in the Gaol of Lancaster.—*S. Lord*, Blackburn, Lancashire, cotton spinner: in the Gaol of Lancaster.—*Samuel M'Meeking*, Brighton, Sussex, dealer in tea and coffee: in the Gaol of Petworth.—*Robt. M. Rigby*, Walton-on-the-Hill, near Liverpool, baker: in the Gaol of Lancaster.—*Uppleby Sutton*, Kingston-upon-Hull, merchant's clerk: in the Gaol of Kingston-upon-Hull.—*Thomas Till*, Manchester, manager of a billiard room: in the Gaol of Lancaster.—*Thos. Whitehead*, Cheltenham, Gloucestershire, attorney's clerk: in the Gaol of Gloucester.—*John Thompson* the younger, Durham, grocer's assistant: in the Gaol of Durham.—*Wm. Histed*, Brighton, Sussex, coal merchant: in the Gaol of Lewes.—*James M. Bennett*, Dover, Kent, chemist: in the Gaol of Maidstone.—*George Chapman*, Charing, Kent, grocer: in the Gaol of Maidstone.—*George Paul Eckstein*, Aston, Warwickshire, schoolmaster: in the Gaol of Coventry.—*George Laws*, Stradbroke, near Framlingham, Suffolk, farming labourer: in

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the Gaol of Ipswich.—*Joseph F. Rain*, Durham, grocer: in the Gaol of Durham.—*Wm. Usher*, Bishopwearmouth, Durham, ropemaker: in the Gaol of Durham.—*John Gofton*, Newcastle-upon-Tyne, cartman: in the Gaol of Newcastle-upon-Tyne.—*John Lane*, Corse-lawn, Gloucestershire, licensed victualler: in the Gaol of Gloucester.—*Peter Pickup*, Cronkeyshaw, near Rochdale, Lancashire, farmer: in the Gaol of Lancaster.—*Thomas Whittle*, Rochdale, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Francis Kemp*, Leeds, Yorkshire, paper-hanging manufacturer: in the Gaol of York.

(On Creditors' Petition).

Edward Crook, Edgworth, Lancashire, labourer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 11 *at* 10, *before Mr. Commissioner* LAW.

Isaac Saunders, Richmond, Surrey, licensed victualler.—*James French*, Ashton-st., Poplar, Middlesex, baker.—*Emily Whitaker*, Thistle-grove, New Brompton, Middlesex, lodging-house keeper.—*Patrick Neilan*, Great Turner-street, Whitechapel-road, and Colchester-st., Whitechapel, Middlesex, oil merchant.—*Wm. Johnson* the younger, St. Andrew's-road, Newington, Surrey, auctioneer.

July 12 *at* 10, *before Mr. Commissioner* LAW.

Henry Bolton, Church-st., Chelsea, Middlesex, tailor.

July 12 *at* 10, *before Mr. Commissioner* PHILLIPS.

Charles Wadham, Royal-street, Carlisle-lane, Lambeth, Surrey, dealer in crown glass.—*James Green*, King-street, Middlesex, butcher.—*Nathan Hammond*, Jubilee-pl., Stepney, Middlesex, general agent.—*Charles Brook*, Horsley-st., Walworth-common, carpenter.—*Edward Gregory*, London-street, Fitzroy-square, Middlesex, carver.—*Edward F. C. Mainwaring*, Woodland-place, North-hill, Highgate, Middlesex, no trade.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Anglesey, at LLANGEFNI, *July* 13 *at* 10.

Walter J. P. Wade, Beaumaris, out of business.

At the County Court of Sussex, at PETWORTH, *July* 13.

John Palmer, Worthing, plumber.—*Samuel M'Meeking*, Brighton, dealer in tea.—*Alex. Silvani*, Brighton, dealer in English and foreign fancy goods on commission.—*P. Fromh*, Worthing, carpenter.

At the County Court of Kent, at MAIDSTONE, *July* 10.

George Chapman, Charing, out of business.

At the County Court of Oxfordshire, at OXFORD, *July* 14.

William Dee, St. Giles's, out of business.

At the County Court of Durham, at DURHAM, *July* 13.

John Thompson the younger, Haswell-lane, near Easington, assistant to a grocer.—*Cuthbert Todd*, Barnard Castle, out of business.—*John Brown*, Berry Edge, out of business.—*James Cordner*, Coxgreen, quarryman.—*Thos. Ridley*, Leadgate, miner.—*Wm. Usher*, Bishopwearmouth, out of business.—*Joseph F. Rain*, Gilesgate, out of business.

At the County Court of Pembrokeshire, at HAVERFORDWEST, *July* 24 *at* 9.

John Maycock, Narberth North, superintendent constable.

INSOLVENT DEBTORS' DIVIDEND.

John Thompson, cotton manufacturer, Hulton's, Bolton-le-Moors: 2s. 4d. in the pound.

FRIDAY, JUNE 29.

BANKRUPTS.

CHARLES WILLIAM STURLEY, Norwich, cabinet maker and upholsterer, July 6 at 12, and Aug. 10 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Wortley, Norwich; Brooke, 12, New Boswell-court, Lincoln's-inn.—Fiat dated June 26.

DANIEL KENTISH, Edgewarebury Farm, near Edgeware, Middlesex, farmer and pig dealer, July 14 at 1, and Aug. 11 at half-past 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. George, Barnett; Sadgrove, Mark-lane.—Fiat dated June 16.

JAMES MATTHEWS, Gomersall, near Guildford, Surrey, tea dealer and grocer, dealer and chapman, July 10 and Aug. 2 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Kennett, Brighton; Nichols, Cook's-court, Carey-street.—Fiat dated June 23.

THOMAS CLARK, Lakenham, Norwich, auctioneer, appraiser, dealer and chapman, July 6 and Aug. 7 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Beckwith & Co., Norwich; Stretton, 18, Southampton-buildings, Holborn.—Fiat dated June 25.

ABRAHAM DAVIES, Aston-park, Wem, Shropshire, coal merchant and lime burner, July 10 and Aug. 7 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Burd, Wem; James, Birmingham. — Fiat dated June 23.

WILLIAM HUTCHINSON, Sutton-upon-Trent, Nottinghamshire, seed crusher and victualler, dealer and chapman, July 13 and Aug. 17 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Falkner, Newark; Brewster, Nottingham.—Fiat dated June 18.

JOHN DAVIES, Dudleyport, Staffordshire, iron master, (carrying on business under the firm of John Davies & Co., at the Minerva Works, Wolverhampton, Staffordshire), July 14 and Aug. 8 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Fiat dated June 27.

JAMES DUFFETT the younger, Bristol, redware potter, dealer and chapman, July 12 and Aug. 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Dix, Bristol; Meredith & Co., Lincoln's-inn, London.—Fiat dated June 26.

WILLIAM PARDINGTON, Blaisstone, Hardwick, Gloucestershire, coal merchant, dealer and chapman, July 20 and Aug. 10 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Sheldon, Cheltenham; Oliver & Wilkins, Moorgate-street Chambers.—Fiat dated June 20.

GEORGE HANCOCK, Chittlehampton, Devonshire, carpenter, dealer and chapman, July 10 and Aug. 7 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Mortimer, Barnstaple; Stogdon, Exeter; Baker & Co., Lime-street.—Fiat dated June 15.

ELIZABETH AYDON and THOMAS WILLIAM FERGUSON, grocers and tea dealers, (carrying on trade or business under the style or firm of Aydon & Ferguson, in the Side, Newcastle-upon-Tyne), July 9 at half-past 10, and Aug. 10 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane.—Fiat dated June 18.

MEETINGS.

Reuben Hemingway, Liverpool, merchant, July 13 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*W. Towse*, Wokingham, Berkshire, oil and colourman, July 10 at 12, Court of Bankruptcy, London, ch. ass.—*Thos. Tindle*, South Shields, Durham, banker, Aug. 6 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*George Corrie*, Bowling-street, Westminster, Middlesex, smith, July 20 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Wm. G. Walker*, Newick, Sussex, apothecary, July 24 at half-past 1, Court of Bankruptcy, London, and. ac.—*Edw. Capstick*, Greenwich, Kent, upholsterer, July 31 at 12, Court of Bankruptcy, London, aud. ac.—*Edward Hall*, Manchester, and Staleybridge, Ashton-under-Lyne, Lancashire, innkeeper, July 24 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Jas. Williamson*, Glasson, Lancashire, innkeeper, July 23 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 24 at 12, div.—*James Gordon*, Manchester, merchant, July 23 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 24 at 12, fin. div.—*J. B. R. Durant*, Stogursey, Somersetshire, grocer, July 25 at 11, District Court of Bankruptcy, Exeter, and. ac.; July 26 at 1, div.—*G. Cowell*, Birmingham, news agent, July 24 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*Benjamin Wright*, Coalbrookdale, Madeley, Shropshire, coach proprietor, July 24 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*Edward Hopwood*, Birmingham, coach-spring maker, July 24 at 10, District Court of Bankruptcy, Nottingham, and. ac.—*G. M. Horton*, Hatton-garden, Middlesex, jeweller, July 29 at 11, Court of Bankruptcy, London, div.—*A. Lee*, Guildford, Surrey, banker, July 23 at 12, Court of Bankruptcy, London, div.—*Henry Rogers*, Southampton, draper, July 21 at 2,

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Court of Bankruptcy, London, div.—*David Twort*, Horsmondon, Kent, miller, July 21 at 2, Court of Bankruptcy, London, div.—*Joseph Brown*, Austin-friars, London, merchant, July 18 at half-past 11, Court of Bankruptcy, London, div.—*John K. Winterbottom*, Heaton Norris, Manchester, banker, July 20 at 11, District Court of Bankruptcy, Manchester, div.—*James Greenwood*, Hayworth, Bradford, Yorkshire, worsted spinner, July 20 at 11, District Court of Bankruptcy, Leeds, div.—*George Morton*, Leeds, Yorkshire, paper stainer, July 20 at 11, District Court of Bankruptcy, Leeds, div.—*Richard Dalby Pawson*, Leeds, Yorkshire, apothecary, July 20 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Edmonds, Charles-street, Westbourne-terrace, Middlesex, dairyman, July 24 at 1, Court of Bankruptcy, London.—*Richard Cross*, Union-street, Lisson-grove, Marylebone, Middlesex, horse slaughterer, July 24 at 12, Court of Bankruptcy, London.—*John Redington*, Moreton, Essex, miller, July 19 at 11, Court of Bankruptcy, London.—*Geo. Simons*, King's-square, Goswell-road, Middlesex, watch manufacturer, July 24 at 1, Court of Bankruptcy, London.—*R. C. Collins*, Bath, Somersetshire, commission agent, July 31 at 12, District Court of Bankruptcy, Bristol.—*J. Taylor*, Lincoln, butcher, July 25 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*H. Lister*, Lincoln, miller, July 25 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*William Elsam*, Liverpool, commission agent, July 20 at 11, District Court of Bankruptcy, Liverpool.—*John Frampton*, Cerne Abbas, Dorsetshire, money scrivener, July 26 at 1, District Court of Bankruptcy, Exeter.—*John Baskerville*, Ludlow, Shropshire, linendraper, July 31 at half-past 12, District Court of Bankruptcy, Birmingham.—*William Henry Higgitt*, Wolverhampton, Staffordshire, pawnbroker, July 26 at 12, District Court of Bankruptcy, Birmingham.—*Joseph Ivey Baker* and *Wm. Barnett Baker*, Wolverhampton, Staffordshire, iron dealers, July 21 at 12, District Court of Bankruptcy, Birmingham.—*Charles Pritchard*, Hereford, wine merchant, July 21 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 20.

Lewis Low Whittle, Bolton, Lancashire, grocer.—*Joseph Gates*, Bristol, licensed victualler.—*Jacob Fieller*, Devonshire-street, Bishopsgate-street, London, tailor.—*Thos. Cracknell*, Sheldon-street, Westbourne-terrace, Paddington, Middlesex, painter and glazier.—*Geo. Cowell*, Birmingham, news agent.—*Richard Hen. Hartley*, Halifax, Yorkshire, stockbroker.—*James Dobbs*, Withington, Herefordshire, timber merchant.—*Joseph Hughesdon*, Chundernagore, East Indies, merchant.—*James Wm. Spokes*, Strand, Middlesex, bookseller.—*William Buddle*, Paddington, Middlesex, timber merchant.—*Richard Williams*, Bristol, undertaker.

SCOTCH SEQUESTRATION.

John Petrie, Dundee, sawyer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Thomas, Gilvaugh, Newton, Cloddock, Herefordshire, limeburner, July 26 at 10, County Court of Herefordshire, at Hereford.—*Thomas Watkins*, Mordiford, Herefordshire, labourer, July 26 at 10, County Court of Herefordshire, at Hereford.—*Wm. Price*, Tillington, Burghill, Herefordshire, labourer, July 26 at 10, County Court of Herefordshire, at Hereford.—*John Edwards*, Shepton Beauchamp, Somersetshire, carpenter, July 17 at 2, County Court of Somersetshire, at Crewkerne.—*Geo. Welch Miller*, Ilminster, Somersetshire, artist, July 17 at 9, County Court of Somersetshire, at Chard.—*Robert Palmer*, Hilgay, Norfolk, general shopkeeper, July 17 at 10, County Court of Norfolk, at Downham-market.—*Robert Vince*, Downham-market, Norfolk, victualler, July 17 at 10, County Court of Norfolk, at Downham-market.—*Robt. Watts*, North Freckenham, Norfolk, farming steward, July 7 at 9, County Court of Norfolk, at East Dereham.—*Jacob Boyce*, Lilcham, Norfolk, baker, July 7 at 9, County Court of Norfolk, at East Dereham.—*Wm. Straughan*, Newcastle-upon-Tyne, cartman, July 13 at 10, County Court of Northumberland, at Newcastle.—*Walter Awburn*, Newcastle-upon-Tyne, butcher, July 13 at 10, County Court of Northumberland, at Newcastle.—*Thomas Heatherington*, Newcastle-upon-Tyne, bacon factor, July 13 at 10, County Court of Northumberland, at Newcastle.—*Wm. Dunnicliffe*, Bedworth, Warwickshire, draper's assistant, July 16 at 2, County Court of Warwickshire, at Coventry.—*John Downes*, Coventry, Warwickshire, watchmaker, July 16 at 2, County Court of Warwickshire, at Coventry.—*Thomas Gibbs*, Stratford-upon-Avon, Warwickshire, licensed victualler, July 12 at 9, County Court of Warwickshire, at Stratford-upon-Avon.—*Frederick Shackleford*, East Preston, Sussex, schoolmaster, July 14 at 11, County Court of Sussex, at Arundel.—*Geo. Charles Henry Hitchings*, Oxford, surgeon, July 14 at 2, County Court of Oxfordshire, at Oxford.—*John Thomas Merrall*, Maidstone, Kent, wheelwright, July 10 at 12, County Court of Kent, at Maidstone.—*Wm. Davies*, Trecastle, Llywell, Brecknockshire, maltster, July 9 at 10, County Court of Brecknockshire, at Brecknock.—*Wm. Twist*, Mereworth, Kent, grocer, July 10 at 12, County Court of Kent, at Maidstone.—*Wm. White*, Fishguard, Pembrokeshire, butcher, July 23 at 10, County Court of Pembrokeshire, at Fishguard.—*Geo. Evans*, Mold, Flintshire, farmer, July 30 at 11, County Court of Flintshire, at Mold.—*Wm. Bowen*, Grogwynion, Llanddarog, Carmarthenshire, farmer, July 27 at 2, County Court of Carmarthenshire, at Carmarthen.—*R. Elliott*, Cheltenham, Gloucestershire, cabinetmaker, July 17 at 10, County Court of Gloucestershire, at Cheltenham.—*Isaac Moss* the younger, Farnworth, Lancashire, provision dealer, July 11 at 12, County Court of Lancashire, at St. Helen's.—*John Hawker*, Buckerell, Devonshire, butcher, July 11 at 10, County Court of Devonshire, at Honiton.—*Edmund Sharrington Davenport*, July 12 at 10, County Court of Shropshire, at Bridgnorth.—*Ed. Hicks*, Newport, Monmouthshire, butcher, July 18 at 10, County Court of Monmouthshire, at Newport.—*Robert White*, Newport, Monmouthshire, beer-house keeper, July 18 at 10, County Court of Monmouthshire, at Newport.—*Isaac Oldridge*, Newport, Monmouthshire, shoemaker, July 18 at 10, County Court of Monmouthshire, at Newport.—*Edward Leonard*, Tredegar Iron Works, Bedwellty, Monmouthshire, ginger beer manufacturer, July 19 at 10, County Court of Monmouthshire, at Tredegar.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 14 *at* 10, *before Mr. Commissioner* PHILLIPS.

Robert Lancaster, Doyley-street, Sloane-square, Chelsea, Middlesex, tailor.—*Edward M'Ardell* the elder, West Hamlane, Essex, silk printer.

July 16 *at* 10, *before Mr. Commissioner* PHILLIPS.

Thomas Hill, Somerset-place, Strand, Somerset-house, Middlesex, office keeper and messenger in the Office of Registrar of Births, Deaths, and Marriages in England.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 13 *at* 11, *before Mr. Commissioner* HARRIS.

Thomas Edlyne Tomlins, Park-st., Islington, Middlesex, and Barnard's-inn, Holborn, London, author.—*Robt. Bowie* the younger, Fowkes-buildings, Tower-st., London, assistant to a surgeon.—*Edw. Wilson*, Clement's-lane, Clare-market, Middlesex, dealer in coals.—*James Brook Irwin*, Alsop-terrace, Regent's-park, Middlesex, gentleman.—*Thos. Wenham*, Queen's Prison, Surrey, gentleman.—*Benjamin Workman Pearce*, Bayham-ter., Camden-town, Middlesex, bricklayer.

July 16 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. Ritson, Westbrook-cottage, Smith-st., Kennington-common, Surrey, mariner.—*Thos. Henley*, Upper Eaton-st., Belgrave-square, Pimlico, Middlesex, out of business.—*Joseph Harris*, Edward-st., Stepney, Middlesex, carpenter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *July* 13 *at* 10.

John Gofton, Newcastle-upon-Tyne, cartman.

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At the County Court of Westmoreland, at APPLEBY, *July* 27 *at* 10.

John Thornton, Kirkby Lonsdale, shoemaker.

At the County Court of Gloucestershire, at GLOUCESTER, *July* 31 *at* 10.

George Dixon, Cirencester, out of business.

At the County Court of Warwickshire, at COVENTRY, *July* 16.

George Paul Eckstein, Aston, schoolmaster.

At the County Court of Durham, at DURHAM, *July* 13.

John Wilson, Ryton, out of business.

At the County Court of Sussex, at LEWES, *July* 17.

Wm. Dusse, Burwash and Brightling, farmer.—*Wm. John Herbert*, Brighton, shoemaker.—*Francis Higginson*, Brighton, author.

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The Jurist

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*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, JULY 7, 1849.

In the case of *The Attorney-General* v. *Strange*, at the hearing of the cause, (see 13 Jur. 507), the Vice-Chancellor Knight Bruce held, that the works produced by the defendant wrongfully using the property which the plaintiffs had in the *impressions*, must be destroyed, although that destruction would involve the destruction of the material on which they were made, and which was the property of the defendant. His Honor decided the point without deciding what the Court would do in a case where the material, the property of the defendant, should be of intrinsic value, holding that, in the case before him, that point did not arise, as the material was substantially worthless.

The guarded language of his Honor, in this case, leaves it an open question, whether, generally, if one person infringes on the right of property of another, in a work of literature or art, and in so doing blends the complainant's property with his own, the Court of Chancery has jurisdiction to make an order, the effect of which will be the destruction of the property of the offending party, as well as of the property of the plaintiff wrongfully taken. The point has, we believe, only been directly considered in the case referred to in *The Attorney-General* v. *Strange*, by the counsel for the defendant, Judge. (*Colburn* v. *Sims*, 2 Hare, 554). In that case, the Vice-Chancellor Wigram was pressed to order the delivery up of copies of the plaintiff's work, piratically published by the defendant, for the purpose of their being cancelled. His Honor thought that the plaintiff had no such right, founded on the common-law right of an author in his work, anterior to or independent of the Copyright Acts. The mode, however, in which his Honor had the point before him made it a different question from that in *The Attorney-General* v. *Strange*. In *Colburn* v. *Sims* the plaintiff had published, and the defendant had pirated his publication. The question, therefore, whether the plaintiff had any common-law right to order delivery up of the pirated copies, depended, in the first instance, on the extent of his common-law right of property in his work; and as it has long been settled, that the right of an author to prevent the multiplication, by others, of the work that he has devoted to the public, or, in other words, his *copyright*, strictly so called, is not a right at all at common law, but the creature of the Copyright Acts, it followed, that, having no right of property at common law, the plaintiff could, of course, have no right at common law to have the pirated copies delivered up. But in *The Attorney-General* v. *Strange*, the question was, whether the plaintiff, having an admitted common-law right of property in his unpublished work, and a right to withhold it from the public, had not, as a consequence, a right to the assistance of equity to have copies made by the defendant, in infringement of such the plaintiff's right of property, delivered up to be destroyed. The only real question, therefore, would be, in a case where the value of the materials used by the defendant would allow a substantial question to be raised, whether the Court has authority to direct the destruction of that which is the property of a person who has so annexed the property of another to his own that the one cannot be destroyed without destroying the other.

We have not ourselves much doubt that the Court has such jurisdiction, upon principle and upon authority. The whole ground of the interference of equity, in the way of restraining either piracy of copyright, or infringement of the common-law right of an author or

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artist to withhold his work from the public, is the jurisdiction assumed by the Court of Chancery to aid a legal right by restraining acts inconsistent with its full enjoyment; and a variety of cases may be referred to in which no question is ever made about preserving the integrity of the defendant's property, although the preservation of such integrity is quite incompatible with the relief given to the plaintiff. For instance, where a railway company is compelled indirectly to pull down any work erected by it in breach of the contract by which it is bound by its act of Parliament, unquestionably much of the property of the company is not merely damnified, but actually destroyed, or, at least, deprived of all utility and value. So, in many cases where an injunction is granted to restrain the infringement of a patent, the effect of obedience to the order is not merely to prevent the infringer from using the patent right of the plaintiff, but, by excluding from the defendant's machinery the use of all those parts which are within the plaintiff's patent, to render absolutely useless all the other parts of the machine admitted to be the defendant's property. Yet in none of these cases has it ever been attempted to contend that the Court was deprived of jurisdiction fully to protect the plaintiff's right, because obedience to its order might be incompatible with the preservation of the defendant's property in its integrity. Again, in a very different kind of case, between trustee and cestui que trust, where the trustee had so dealt with the trust property that the rights of the cestui que trust could not be protected without injury to the rights of property of the defendant, equity has not suffered that circumstance to prevent its interference; as in *Lord Chedworth* v. *Edwards*, (8 Ves. 46), in which a steward, having improperly mixed monies of his master with his own in the purchase of stock, was restrained from transferring any part until he should have satisfied the Court, by answer, what part was his, and what his master's. It is true, that, in this case, the decision was put partly on the ground of the danger to the plaintiff's rights, if the defendant were allowed to deal with any part of the property till it was clearly ascertained what was his; but still it was clear that the injunction did interfere with some right of property of the defendant; and the principle was, that the plaintiff's rights must be protected, no matter whether thereby the defendant suffered inconvenience in his property or not. The true rule of equity in such matters seems to be, fiat justitia to the innocent plaintiff, rust the right of the defendant the wrongdoer. And if it be recollected that the Court of Chancery acts, in the exercise of its jurisdiction in aid of legal rights, upon the person, and not on the thing, there seems really to be hardly any difficulty remaining in the case.

There can be no question that a court of equity has authority to order a person who has published my work, in derogation of my right, (whether by direct order or by mandatory injunction is perfectly immaterial), effectually to put it out of his power, by destruction of it, if necessary, to use that which is my property: the wrongfully-made *impression*, for instance, in such a case as that of *The Attorney-General* v. *Strange*. The Court leaves to the wrongdoer the mode of obeying its order, contenting itself with committing him for contempt if he disobeys it. The Court is not, in point of *form*, (if there be anything in the form in which the jurisdiction is to be exercised), driven to order the destruction of the defendant's property, but throws upon him the onus of that destruction, if he cannot, without incurring it, obey the order which the Court has unquestionable authority to make; just as in the case above referred to, of wrongfully-constructed railway or other works: the Court simply casts it upon the wrongdoer to put himself and his works in the same position as if he had not done the wrong, not inquiring how he shall do so, but leaving it to him to do it as best he may—with or without injury to his own rights of property.

It would, indeed, to use the words of the Vice-Chancellor Knight Bruce, be "a slur upon jurisprudence, and a dishonour to the administration of justice," if a person could refuse to put it completely out of his power to enjoy the property of another, by saying that he had so mixed it with his own that he could not do full justice to the plaintiff without doing injury to himself.

Reviews.

The Laws of Debtor and Creditor as they are and as they ought to be, &c. By PETER HEALEY, *a Retired Solicitor of Thirty Years' Standing. Pp.* 31.

[*Sweet*, 1849.]

Mr. Healey's view of the principles on which the law of debtor and creditor should be regulated are, at least, novel. Whether they are correct or not deserves much consideration. The fundamental notion is this, that the honest debtor—meaning thereby the trader or other person whose insolvency is the result of misfortune, against which no ordinary prudence could provide—ought not to be required, as a condition of his emancipation, to give up all his existing, *still less* all his future, property, but ought to be entitled to share, in some fair proportion, his property with his creditors. Mr. Healey's pamphlet bears internal evidence of his having been, what he states himself to be, a solicitor of long practice; for he begins it as if it were the deposition of a witness, by a statement of his past occupations, to shew that he speaks of that with which he is familiar. "To shew," he says, "how far I am qualified 'for the performance of my task, I might state, that I 'have, within the thirty years of my practice, acted 'many parts in this legal drama—firstly, as a commissioner of bankrupts; secondly, as a solicitor to numerous commissions and fiats; and, lastly, as an advocate both for and against bankrupts and insolvents 'of all grades."

In Chapter II. the author explains the substance of his views:—

"The close analogy between the *ancient* and the modern laws of debtor and creditor is very striking; for 'we learn from the New Testament, (St. Matthew, xviii. 23), that OUR SAVIOUR, in order to illustrate and confirm his instructions to *St. Peter*, on the forgiveness of injuries, related a remarkable *parable*, which opens thus:—'Therefore is the kingdom of heaven likened 'unto a *king*, which would take *account of his servants*. 'And when he had begun to reckon, one was brought 'to him which *owed* him ten thousand talents; but 'forasmuch as he *had not to pay*, his lord commanded 'him TO BE SOLD, AND HIS WIFE AND CHILDREN, AND ALL 'THAT HE HAD, AND PAYMENT TO BE MADE.'

"This seems a most severe penalty for *insolvency*; and 'yet it was a frequent practice among the Jews, as we 'learn from various passages of the Old Testament, an

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'from Josephus, (Exodus, xxii, 3; Leviticus, xxv, 47). 'And we are told, by several intelligent travellers, that '*insolvency* is one of the causes of *slavery in Africa* at 'this very hour."

He then proceeds to argue, that, in effect, the law of England reduces into practical slavery the insolvent debtor; and to shew the ill effects of the law:—

"By depriving," he says, "the unfortunate debtor 'of '*all that he has*,' and by WITHHOLDING FROM HIM A 'JUST AND EQUITABLE PARTICIPATION IN, AND SHARE OF, 'HIS OWN PROPERTY, the existing laws hold out to him 'NO INDUCEMENT to meet his creditors face to face.

"On the contrary, the debtor, upon first discovering 'his own insolvency, shudders at the bare idea of be- 'coming a voluntary victim of such *arbitrary* and *unjust* 'laws—laws which, if yielded to without a struggle, 'are sure to divest him, not only of all his property, 'without any participation therein, but also of all his 'domestic happiness at once and for ever.

"It cannot, therefore, be surprising to any thinking 'man, that expedients of all sorts should be resorted to 'by an unfortunate debtor, in order to keep his head 'above water, and to avert evils such as these.

"The *expedients* generally adopted by a trader debtor 'whose means are on the wane, and who is, perhaps, 'hard pressed by some of his creditors to meet his en- 'gagements, are as follow:—He first seeks *pecuniary* '*assistance* from his personal friends; but, failing this 'kind of aid, as fail it will, he then goes into the 'market and purchases *on credit*, while he has it, a 'larger quantity of *goods* than he requires for his or- 'dinary business transactions, to enable him, by forced 'sales of these goods, by pawning, and by other irregular 'means—each and all at great sacrifice—to raise money 'wherewith to meet his current bills. His next course 'is, to obtain from his neighbours or acquaintances '(who, in their turn, are almost sure to require similar 'favours from the trader himself) the loan of certain '*accommodation bills*. These bills are then *discounted* at 'an enormous rate of interest, ranging probably from '10 to 20, and even in some cases so high as to 60 per 'cent. Next comes the lawyer with his *writs* upon 'these accommodation bills. Legal proceedings may 'indeed be, and often are, by a prompt and *liberal* ad- 'vance for costs, averted for awhile; but judgments 'and executions will most inevitably follow. Then, 'but not till then, does the tardy and reluctant debtor 'surrender, by compulsion, either his person or his 'effects, or both; and then it is that his creditors at 'large first make the disagreeable discovery, that all, or 'nearly all, the debtor's property has been absorbed in 'these too common, but certainly most corrupt and in- 'effectual, attempts to escape from what the debtor 'deems to be—improperly so, perhaps—the greater mi- 'series to result from becoming bankrupt or insolvent.

'Incidit in Scyllam qui vult vitare Charybdim.'
In attempting to avoid a lesser, he falls into a greater evil.

"Here, then, lies the ROOT OF THE GREAT EVIL—the 'MAIN DEFECTIVE PRINCIPLE so loudly and so justly 'complained of by the oppressed debtor; and from this 'discordant root do spring many concomitant evils, 'which tend to produce, in the courts of bankruptcy 'and insolvency, such meagre and discouraging results.

"If the Legislature would allow the *honest debtor* to 'PARTICIPATE LIBERALLY with his creditors in the *distri- 'bution of his own property*, such *ruinous expedients* as 'those just mentioned would, of a verity, be resorted to 'no longer.

"On the contrary, it is but reasonable to infer, that 'the fair trader, with a liberal per-centage for his re- 'ward, would, on the very first discovery of his ina- 'bility to pay his debts *in full*, spontaneously and 'cheerfully submit at once to mild, just, and equitable 'laws; and that, instead of dissipating his property, as 'at present, in order to put off the evil day, he would, 'both *before* and *after* his bankruptcy or insolvency, 'use his utmost endeavours to protect and preserve his 'estate, because he would then be especially prompted 'so to do by reason of his own vested right and interest 'therein."

Mr. Healey afterwards proceeds to discuss various matters of detail, as to the improvement of the different modes of proceeding, both privately, by deed of inspectorship, composition, and assignment, and under the direction of the courts of bankruptcy and insolvency. Many of his suggestions appear to us well founded, particularly that a majority—of course, a considerable majority—of a man's creditors should have the power of binding the minority as to the course to be pursued in dealing with his insolvency; that official assignees should be paid by salaries, instead of by fees; and that some of them, at any rate, should be professional men, instead of being all mere merchants or accountants.

Of the value of the broad principle advocated by Mr. Healey we entertain considerable doubt; but it deserves, at least, the serious attention of legislators, and of the Profession, particularly having regard to the undoubted fact, that all the attempts at debtor and creditor legislation have hitherto been, more or less, failures. Now, since scarcely any amount of error in detail would produce such signal failure of laws based on a just *principle;* and since, moreover, the details of the law of debtor and creditor have, at least of late years, been most carefully and laboriously provided for, so that, in fact, there is no ground to suppose that their failure results from error of *detail*, the unavoidable inference is, that they must contain some grave error of principle.

If Mr. Healey has discovered the real error, and its remedy, he will have deserved well of the commercial community.

London Gazettes.

TUESDAY, JULY 3.

BANKRUPTS.

RICHARD MILLAR, Princes-street, Spitalfields, Middlesex, oilman and pickle merchant, July 10 and Aug. 17 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Burr, 8, Devonshire-street, Bishopsgate-street. —Fiat dated June 29.

WILLIAM TOMSEY CREECH, Princes-street, Brighton, Sussex, licensed victualler, dealer and chapman, July 10 and Aug. 17 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Kennett, Brighton; Nichols, 9, Cook's-court, Lincoln's-inn.—Fiat dated June 21.

JOHN BARLOW, Wenlock Iron Wharf, Wharf-road, City-road, Middlesex, engineer, dealer and chapman, July 13 at half-past 1, and Aug. 17 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Phillips & Voss, 4, Sise-lane, Bucklersbury.—Fiat dated June 29.

GEORGE KIRTLAND, Bletchington and Hampton Gay, Oxfordshire, coal merchant and paper manufacturer, July 13 at 1, and Aug. 18 at half-past 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Knapp, Woodstock; Woodruff, Lincoln's-inn-fields.—Fiat dated June 25.

EDWARD MUMFORD, Great Maplestead, Essex, miller, dealer and chapman, July 13 at 1, and Aug. 18 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Sperling & Harris, Halstead, Essex; Bromley & Aldridge, Gray's-inn. —Fiat dated June 30.

EDWARD BURBIDGE, Piccadilly, Middlesex, umbrella maker and tobacconist, July 12 at half-past 2, and Aug. 9 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Kernot, Welbeck-street, Oxford-street.—Fiat dated June 25.

BEZALEEL BLOMFIELD, Kelvedon, Essex, corn dealer, July 10 at half-past 2, and Aug. 14 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Craig, Braintree, Essex; Sharpe & Co., 41, Bedford-row.—Fiat dated June 27.

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HENRY MILES, Miles-terrace East, Greenwich, Kent, builder, dealer and chapman, (trading with one Edwin Miles, of Miles-terrace aforesaid), July 14 at 2, and Aug. 11 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. Bristow & Tarrant, 2, Bond-court, Walbrook, London.—Fiat dated May 30.

JAMES CROCKER, late of George Hotel, Aldermanbury, London, hotel-keeper, but now of Aldersgate-street, manager of an hotel, July 12 at 12, and Aug. 9 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Heather & Moyer, Paternoster-row.—Fiat dated July 2.

JOHN HOOKER, New Cross-road, Deptford, Kent, paperhanger and painter, dealer and chapman, July 11 at 1, and August 9 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Bristow & Tarrant, Bond-court, Walbrook.—Fiat dated June 20.

WILLIAM GIBBIE and THOMAS PROVIS ACKERMAN, Whitecross-street, Middlesex, and New-cut, Lambeth, Surrey, drapers, dealers and chapmen, July 17 at 1, and Aug. 14 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Ashurst & Son, Old Jewry.—Fiat dated July 2.

EDWARD GIBSON and GEORGE STURT, Saint Alban's, Hertfordshire, bankers, July 10 at half-past 2, and Aug. 14 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. George, Barnet; Sadgrove, 52, Mark-lane.—Fiat dated June 23.

ALEXANDER DENOON and DAVID DENOON, Adam's-court, Old Broad-street, London, merchants, (carrying on business under the firm of A. Denoon & Co.), (but fiat annulled, so far as the same relates to David Denoon), July 14 at 1, and Aug. 18 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. Hughes & Co., Bucklersbury.—Fiat dated March 17.

WILLIAM SEDGLEY, Barton-on-the-Heath, Warwickshire, farmer and cattle dealer, July 17 and Aug. 21 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Gillam & Thomas, Birmingham.—Fiat dated June 27.

THOMAS WINTER, Nottingham, and also of Sherwood-hill, Basford, Nottinghamshire, builder, July 13 and Aug. 10 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Fox & Co., Nottingham.—Fiat dated June 29.

RICHARD EDWARD SAXTON, Crich, near Alfreton, Derbyshire, jeweller, July 13 and Aug. 10 at half-past 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Nicholls, Birmingham.—Fiat dated June 21.

CHARLES CURTIS, Nottingham, corn factor, dealer and chapman, July 13 and Aug. 10 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Fiat dated June 27.

WILLIAM IRELAND, Crowland, Lincolnshire, grocer and draper, dealer and chapman, July 13 and Aug. 10 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Wright, Birmingham; Stuart, 6, New-inn, Strand, London.—Fiat dated June 23.

JOHN MILLER, Sheffield, Yorkshire, tinner and brazier, dealer and chapman, July 14 at 10, and Aug. 25 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Marshall, Sheffield; Tattershall, Great James's-street, London.—Fiat dated June 13.

THOMAS DALTON HAMMOND, Kingston-upon-Hull, druggist, seed crusher, dealer and chapman, July 18 and Aug. 8 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Hope; Sols. Holden & Son, Hull; Hicks, Gray's-inn, London.—Fiat dated June 18.

BENJAMIN LORD, Blackburn, Lancashire, coal dealer, dealer and chapman, July 17 and Aug. 21 at 1, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Allcock & Dixon, Burnley; Cragg & Jeyes, Bedford-row, London.—Fiat dated June 21.

Meetings.

Wm. Tweddle, Liverpool, soap manufacturer, July 24 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Rich. Rimmer*, Liverpool, tailor, July 24 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Sidebotham* and *Thomas Lewis*, Haughton, and Manchester, cotton manufacturers, July 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 25 at 12, fin. div.—*Edmund Grundy*, Great Bolton, Lancashire, grocer, July 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*A. P. Halliday* and *Eliza Paton*, Cornbrook, Hulme, Manchester, manufacturing chemists, July 26 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Joseph Hirst*, Manchester, provision dealer, July 26 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*H. Roberts*, Pwllheli, Carnarvonshire, draper, July 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Robertson*, Liverpool, merchant, July 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph L. Butler*, Liverpool, coal merchant, July 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George L. Richardson*, Liverpool, cutler, July 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Maddock*, Liverpool, tallow chandler, July 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Hopwood*, Birmingham, coach-spring maker, July 24 at 10, District Court of Bankruptcy, Birmingham, (and not at Nottingham, as advertised in the Gazette of the 29th June), aud. ac.—*Edward Raisbeck*, Dewsbury, Yorkshire, ironmaster, July 24 at 11, District Court of Bankruptcy, Leeds, aud. ac.; at 12, div.—*Matthew Norman* the younger, Richmond, Yorkshire, cabinet maker, Aug. 6 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Aug. 7 at 11, div.—*John Peckmore*, Liverpool, baker, July 24 at 11, District Court of Bankruptcy, Liverpool, div.—*Christopher Hall*, Liverpool, corn factor, July 26 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Duncan Wilmot*, Liverpool, merchant, July 26 at 11, District Court of Bankruptcy, Liverpool, div.—*John Watson Burton*, *George Cotman*, and *Wm. Smith*, Manchester, and Leeds, Yorkshire, manufacturers, July 26 at 12, District Court of Bankruptcy, Manchester, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Clark, Redcross-street, London, and Plummer's-row, Whitechapel, Middlesex, oil merchant, July 25 at 11, Court of Bankruptcy, London.—*John Waite*, High Holborn, Middlesex, licensed victualler, July 26 at 1, Court of Bankruptcy, London.—*Thomas Carter*, Gainsborough, Lincolnshire, engineer, July 25 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*Joseph Rogers*, Shrewsbury, Shropshire, hop dealer, July 26 at 12, District Court of Bankruptcy, Birmingham.—*Wm. Newby*, Manchester, joiner, July 26 at 11, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 24.

James Broster Smith, Liverpool, joiner.—*Lewis Rudge*, Great Barford, Bedfordshire, apothecary.—*John Adams*, Staplemead, Laverton, Somersetshire, fuller.—*Henry Cost*, Ivylodge, Clapton, Middlesex, publisher.—*Daniel Smith* and *Frederick Daniel Smith*, Bevor-lane, Hammersmith, Middlesex, drysalters.—*James Connell*, Stanisby-road, East India-road, Poplar, Middlesex, timber merchant.—*Chas. Edmonds*, Strand, Middlesex, bookseller.—*John Staddon*, Holsworthy, Devonshire, grocer.—*Henry Hill Spurway*, Tiverton, Devonshire, brewer.—*Anthony Green*, St. Ive's, Huntingdonshire, veterinary surgeon.—*John Wiggins*, Greenwich, Kent, bookseller.

Scotch Sequestrations.

Robert Bryce, jun., & *Co.*, Edinburgh, brassfounders.—*David Russell*, Dundee, druggist.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Day, Ipswich, Suffolk, shoemaker, July 19 at 10, County Court of Suffolk, at Ipswich.—*Michael Ion*, Liverpool, corset maker, July 9 at 10, Liverpool District County Court, at Liverpool.—*B. Wilkinson*, Needham Market, Suffolk, gentleman, July 19 at 10, County Court of Suffolk, at Ipswich.—*J. Saxon*, Ardwick, Manchester, out of business, July 13 at 1, County Court of Lancashire, at Manchester.—*John Hammond*, Manchester, bolt manufacturer, July 13 at 1, County Court of Lancashire, at Manchester.—*Robert Murray*, Lanchester, Durham, grocer, July 27 at 10, County Court of Durham, at Shotley Bridge.—*Alpheus Thornley*, Shardlow, Derbyshire, hairdresser, July 20 at 10, County Court of Derbyshire, at Derby.—*Arthur Fitzwilliam Tait*, Manchester, artist, July 13 at 1, County Court of Lancashire,

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at Manchester.—*Bertrand Williams*, Derby, carver and gilder, July 20 at 10, County Court of Derbyshire, at Derby.—*Geo. Schulen*, Ipswich, potter, July 19 at 10, County Court of Suffolk, at Ipswich.—*Wm. Wellsted* the elder, Gloucester, builder, July 31 at 10, County Court of Gloucestershire, at Gloucester.—*Edw. Barman*, Beverley, Yorkshire, butcher, July 11 at 11, County Court of Yorkshire, at Beverley.—*Wm. Drake*, Bradford, Yorkshire, veterinary surgeon, July 28 at 11, County Court of Yorkshire, at Bradford.—*W. Croser*, Bradford, Yorkshire, doctor of medicine, July 28 at 11, County Court of Yorkshire, at Bradford.—*Isaac West*, Bradford, Yorkshire, farm labourer, July 28 at 11, County Court of Yorkshire, at Bradford.—*Matthew Riley*, Bradford, Yorkshire, auctioneer, July 28 at 11, County Court of Yorkshire, at Bradford.—*Henry Cooper*, Dawley, Shropshire, grocer, July 14 at 10, County Court of Shropshire, at Madeley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 17 *at* 11, *before Mr. Commissioner* HARRIS.

Richard Harmsworth, York-street, City-road, Middlesex, shoemaker.—*Henry Crooks*, Portland-st., Oxford-st., Middlesex, surgeon.—*Wm. Lawrence*, Bermondsey-st., Southwark, Surrey, carpenter.—*George Welsford*, South Wharf-road, Paddington, Middlesex, grocer.—*Sarah Towler*, Upper Eaton-st., Pimlico, Middlesex, dealer in brushes.

July 17 *at* 10, *before Mr. Commissioner* LAW.

George Rees, Lower Queen-st., Rotherhithe, Surrey, out of business.

July 18 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. Paine, Johnson-st., Somers-town, St. Pancras, Middlesex, pianoforte key maker.—*George Palmer*, Providence-row, Finsbury, Middlesex, warehouseman.—*Wm. Silverton*, Skinner-st., Snow-hill, London, appraiser's clerk.—*William Garnett Spencer*, York-terrace, Camberwell New-road, Surrey, clerk to the Commissioners of the Lambeth Wyke Lighting Estate.

July 18 *at* 10, *before Mr. Commissioner* LAW.

Charles Duff, Southampton-st., Camden-town, Middlesex, musical-string maker.—*John Joseph Parker*, Denmark-st., St. Giles's, Middlesex, manager to a brewer.

July 19 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. Chas. Pitts, Napier-place, Napier-st., Dover-road, Newington, Surrey, iron-plate worker.

Saturday, June 30.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Robertson, Lorn-road, Brixton-road, Surrey, editor of a newspaper, No. 60,636 T.; Alfred Rodrigues, assignee.—*Thomas Bishop*, Southampton, builder, No. 70,809 C.; Chas. Stewart, assignee.—*Henry Edmund Smith*, Chatham, Kent, chemist, No. 70,973 C.; W. Gabriel Basset Gunton, assignee.—*Wm. Neely* the elder, Church-st., Westminster, Middlesex, out of business, No. 60,619 T.; James Bagster Lydall, assignee.—*John Booth*, Pule Nick, Northowram, near Halifax, Yorkshire, boot maker, No. 71,001 C.; Benjamin Mallinson, assignee.—*Geo. Ward*, Stebon-terrace, Stepney, Middlesex, music publisher, No. 56,743 T.; Richard Shouls, assignee.—*Gabriel Powell*, Ashford-st., Hoxton, Middlesex, carpenter, No. 60,644 T.; James Stroud, assignee.

Saturday, June 30.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Gahagan the younger, Nutford-place, Edgeware-road, Middlesex, coach trimmer: in the Debtors Prison for London and Middlesex.—*Henry Shaw*, Southampton-place, New-road, Middlesex, wholesale watch manufacturer: in the Queen's Prison.—*Samuel Jefferys*, Chiswick, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Thos. Greenwood*, St. James's-walk, Clerkenwell, Middlesex, clock manufacturer: in the Debtors Prison for London and Middlesex.—*Thos. Hughes*, Stonebridge-place, Stonebridge-common, Kingsland, Middlesex, silk broker: in the Debtors Prison for London and Middlesex.—*Francis Winch*, Margate, Kent, carpenter: in the Debtors Prison for London and Middlesex.—*Charles Throsby*, Upper Belgrave-pl., Pimlico, Middlesex, in no business: in the Queen's Prison.—*William Maddams*, King-st., Golden-sq., Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*Charles Hawgood*, New Park-st., Southwark, Surrey, baker: in the Gaol of Horsemonger-lane.—*William Chappelow*, junior, Saunders-st., Union-st., Lambeth-walk, Surrey, modeller in gutta percha: in the Gaol of Horsemonger-lane.—*Horatio Clayett*, Hampstead-sq., Heath-st., Hampstead, not in any trade: in the Queen's Prison.—*John Jervis*, Tring, Hertfordshire, tobacconist: in the Gaol of Hertford.—*F. Higginson*, Brighton, Sussex, lodging-house keeper: in the Gaol of Lewes.—*James Thomas*, Mountfield, near Hurst-green, Sussex, publican: in the Gaol of Lewes.—*Abraham Haigh*, Huddersfield, Yorkshire, overlooker in a woollen factory: in the Gaol of York.—*Wm. Morgan*, Magor, Monmouthshire, beer retailer: in the Gaol of Monmouth.—*Joshua Purdy*, Sheffield, Yorkshire, out of business: in the Gaol of Sheffield.—*John Watson*, Preston, Lancashire, out of business: in the Gaol of Lancaster.—*W. Exton*, Preston, Lancashire, builder: in the Gaol of Lancaster.—*William Rudd*, King's Walden, Hertfordshire, out of business: in the Gaol of Hertford.—*George Bache*, Mexborough, near Rotherham, Yorkshire, glass manufacturer: in the Gaol of York.—*Edw. T. Fernie*, Brewood, Staffordshire, tailor: in the Gaol of Stafford.—*John Turpin*, Totnes, Devonshire, innkeeper: in the Gaol of St. Thomas the Apostle.—*Francis Balls*, Great Yarmouth, Norfolk, butcher: in the Gaol of Norwich.—*Lawrence Bell*, Wretton, Norfolk, husbandman: in the Gaol of Norwich.—*John Evans*, Salford, Lancashire, out of business: in the Gaol of Lancaster.—*James Proctor*, Wilpshire, near Blackburn, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*William Steers*, Maidstone, Kent, private in her Majesty's 15th King's Hussars: in the Gaol of Maidstone.—*Rich. Broster*, Birmingham, agent and bookkeeper: in the Gaol of Warwick.—*Geo. Staley*, Manchester, out of business: in the Gaol of Lancaster.—*George Westall*, Oswaldtwistle, near Blackburn, Lancashire, labourer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 17 *at* 10, *before Mr. Commissioner* LAW.

David Robt. Eden, Great Tower-st., London, shipping and provision agent.

July 19 *at* 10, *before Mr. Commissioner* PHILLIPS.

James Barber, Britannia-st., City-road, Middlesex, out of business.—*James Bullock*, Lacey-terrace, Penton-place, Walworth-road, Surrey, printer.—*W. Coldman*, Abinger, Surrey, carpenter.—*Edw. Russell*, Kennington-oval, Surrey, commission agent.

Adjourned.

Wm. M. Milton, Brooke-green, Hammersmith, buying and selling horses by commission.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Denbighshire, at RUTHIN, *July* 26.

David Hughes, Pentrefelin, near Llangollen, labourer.

At the County Court of Suffolk, at IPSWICH, *July* 19.

George Laws, Shadbroke, near Framlingham, labourer.

At the County Court of Derbyshire, at DERBY, *July* 20 *at* 10.

William Ford, Derby, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

George Bayly, Bridge-st., Lambeth, Surrey, superannuated clerk in the Customs: 10*s.* 3*d.* (making 20*s.*) in the pound.—*John Long*, Swaffham, Norfolk, carpenter: 20*s.* in the pound.—*Jas. Kirkham*, Woodside, Cheshire, out of business: 1*s.* 4½*d.* in the pound.—*William Close*, Newarne, Lydney, Gloucestershire, butcher: 1*s.* 4½*d.* in the pound.—*James Greenwood*, Beeston Royds, near Leeds, Yorkshire, cloth manufacturer: 4*d.* in the pound.—*Joseph Lewis*, Snenton, Nottinghamshire, slater: 6*s.* 1½*d.* in the pound.—*Henry*

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Slim, North-st., Sloane-st., Knightsbridge, Middlesex, milkman: 5*s.* 1*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

FRIDAY, July 6.

BANKRUPTS.

EDWARD BROWN, Ixworth, Suffolk, innkeeper, July 13 at half-past 12, and Aug. 17 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Nunn, Ixworth, Suffolk; Walter & Pemberton, 4, Symond's-inn, Chancery-lane.—Fiat dated July 2.

JAMES PULHAM, Broxbourne, Hertfordshire, plasterer and modeller, dealer and chapman, July 16 at half-past 11, and Aug. 18 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. C. & A. Robinson, Queen-street-place.—Fiat dated July 5.

SZYMANSKI LEON, Rathbone-place, Middlesex, tailor and trimming seller, July 16 and Aug. 18 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sols. Heather & Moger, Paternoster-row.—Fiat dated July 5.

EDMUND MOODY the younger, Frome, Selwood, Somersetshire, ironfounder, dealer and chapman, July 17 at 12, and Aug. 21 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Miller, Frome, Somersetshire; Frampton, Gray's-inn, London.—Fiat dated June 30.

JOHN NICHOLS, Cheltenham, Gloucestershire, innkeeper, dealer and chapman, July 20 and Aug. 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Rymer, Chancery-lane.—Fiat dated July 2.

WILLIAM SHAW, Leeds, Yorkshire, ironfounder, dealer and chapman, July 23 and Aug. 13 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Dunning & Co., Leeds; Mitton & Co., Southampton-buildings, London.—Fiat dated June 30.

JOHN SMITH and WILLIAM DARBYSHIRE, Manchester, and Egerton within Turton, Lancashire, dyers, (carrying on business under the firm of the Egerton Dye Works Company), July 16 and Aug. 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Knowles, Bolton-le-Moors; Milne & Co., Temple, London.—Fiat dated July 3.

RICHARD PATCHETT, Manchester, licensed victualler, dealer and chapman, July 19 and Aug. 9 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Wilson, Manchester; Chester & Co., Staple-inn, London.—Fiat dated June 30.

GEORGE BURNETT and HENRY ALDERSON THOMPSON, Newcastle-upon-Tyne, and Bede Chemical Works, Jarrow, Durham, soda and alkali manufacturers, July 16 at half-past 10, and Aug. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, Church-court, Old Jewry, London.—Fiat dated June 29.

Meetings.

Joseph Aspinall, Liverpool, stockbroker, July 20 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Robert Cogan*, Leicester-square, Middlesex, glass merchant, July 19 at half-past 11, Court of Bankruptcy, London, last ex.—*Benjamin Bonner*, Gloucester, money scrivener, Aug. 3 at 11, District Court of Bankruptcy, Bristol, and. ac.; Aug. 7 at 11, div.—*Thomas James Birch*, Pendleton, Lancashire, tea dealer, July 27 at 11, District Court of Bankruptcy, Manchester, and. ac.—*James Wallbank*, Stockport, Cheshire, currier, July 27 at 11, District Court of Bankruptcy, Manchester, and. ac.—*John Bramall*, Ashton-under-Lyne, Lancashire, grocer, July 27 at 11, District Court of Bankruptcy, Manchester, and. ac.—*Joseph Clegg*, Manchester, licensed victualler, July 27 at 11, District Court of Bankruptcy, Manchester, and. ac.; July 28 at 11, div.—*Arthur Peters*, Manchester, spirit merchant, July 27 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 28 at 11, div.—*Richard Smith*, Baxenden, and *Milton Smith*, Manchester, calico printers, July 27 at 12, District Court of Bankruptcy, Manchester, and. ac.; July 28 at 12, div.—*James Higham*, Kearsley, Lancashire, victualler, July 27 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Wm. Eccles*, Walton-le-Dale, Lancashire, cotton spinner, July 27 at 11, District Court of Bankruptcy, Manchester, and. ac.; July 28 at 11, div.—*Thomas Cairns*, Redruth, Cornwall, draper, Aug. 7 at 11, District Court of Bankruptcy, Exeter, and. ac.; Aug. 8 at 11, div.—*Richard Rich*, Bodmin, Cornwall, currier, Aug. 7 at 11, District Court of Bankruptcy, Exeter, and. ac.; Aug. 8 at 11, div.—*John Hughes*, Holyhead, Anglesey, draper, July 27 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Whitworth*, Leeds, Yorkshire, millwright, July 27 at 11, District Court of Bankruptcy, Leeds, and. ac.; at 12, div.—*Martin Richardson*, Harrogate, and Knaresborough, Yorkshire, attorney at law, July 27 at 11, District Court of Bankruptcy, Leeds, and. ac.—*R. Hebblethwaite*, Southowram, Halifax, and *James Hirst*, Halifax, Yorkshire, dyers, Aug. 7 at 11, District Court of Bankruptcy, Leeds, and. ac.; at 12, div.—*Daniel Davies* and *H. Davies*, Asylum-road, Old Kent-road, Surrey, road contractors, July 27 at 1, Court of Bankruptcy, London, div.—*John Trevers* the elder, Gloucester-place, Old Kent-road, and *John Trevers* the younger, White-cottage, Apollo-buildings, East-lane, Walworth, Surrey, carpenters, July 27 at 1, Court of Bankruptcy, London, div.—*George Simons*, King's-square, Goswell-road, St. Luke's, Middlesex, watch manufacturer, July 31 at 2, Court of Bankruptcy, London, div.—*Thomas Ames*, Kingsland-road, Middlesex, builder, July 31 at 2, Court of Bankruptcy, London, div.—*John Dyson Anderson*, Pavement, Moorfields, London, linen draper, July 31 at 1, Court of Bankruptcy, London, div.—*Peter S. Sampson*, Brighthelmstone, Sussex, bookseller, July 31 at half-past 2, Court of Bankruptcy, London, div.—*John Dickenson Harper*, Derby, woollen draper, July 27 at 10, District Court of Bankruptcy, Nottingham, and. ac. and div.—*James Penny*, Merthyr Tydvil, Glamorganshire, brewer, July 31 at 11, District Court of Bankruptcy, Bristol, div.—*Geo. L. Richardson*, Liverpool, cutler, July 27 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph Lawrence Butler*, Liverpool, coal merchant, July 27 at 11, District Court of Bankruptcy, Liverpool, div.—*Humphrey Roberts*, Pwllheli, Carnarvonshire, draper, July 27 at 11, District Court of Bankruptcy, Liverpool, div.—*James Robertson*, Liverpool, merchant, Aug. 2 at 11, District Court of Bankruptcy, Liverpool, div.—*J. Maddock*, Liverpool, tallow chandler, Aug. 2 at 11, District Court of Bankruptcy, Liverpool, div.—*A. P. Halliday* and *Eliza Paton*, Cornbrook, Hulme, Manchester, manufacturing chemists, July 27 at 11, District Court of Bankruptcy, Manchester, div.—*William Hirst*, *Joseph Hirst*, and *Wm. Hirst* the younger, Gomersal, Yorkshire, merchants, July 27 at 11, District Court of Bankruptcy, Leeds, div.

Certificates.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Cornelius Starks the younger, Southampton, builder, July 27 at 11, Court of Bankruptcy, London.—*Henry Rogers* Whitchurch, Southampton, coal merchant, July 31 at half past 11, Court of Bankruptcy, London.—*John D. Anderson* Pavement, Moorfields, London, linen draper, July 31 at 1, Court of Bankruptcy, London.—*Wm. Phillips*, Brynmawr, Breconshire, draper, Aug. 7 at 11, District Court of Bankruptcy, Bristol.—*Wm. Oakes*, Oldham, Lancashire, watch maker, July 27 at 12, District Court of Bankruptcy, Manchester.—*W. E. Fergusson*, Macclesfield, Cheshire, surgeon July 27 at 12, District Court of Bankruptcy, Manchester.—*Gardner Boggs*, Liverpool, merchant, July 27 at 11, District Court of Bankruptcy, Liverpool.—*Wilson Forster*, Liverpool, merchant, July 31 at 11, District Court of Bankruptcy, Liverpool.—*John Hughes*, Holyhead, Anglesey, draper, Aug. 2 at 12, District Court of Bankruptcy, Liverpool.—*J. Jones* Holyhead, Anglesey, innkeeper, Aug. 2 at 12, District Court of Bankruptcy, Liverpool.—*John B. Shouler*, Leicester, draper, July 27 at 11, District Court of Bankruptcy, Nottingham.—*Benj. Thompson*, Derby, woollen draper, July 27 at 11, District Court of Bankruptcy, Nottingham.—*N. Morris*, Hereford, hop merchant, July 31 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, sitting in Bankruptcy, unless Cause be shown to the contrary on or before July 27.

Thos. C. Clarkson, Bennett-st., Stamford-st., Blackfriars-road, Surrey, leather merchant.—*Henry Wilcox*, Manchester, tailor.—*Fred. Brain*, Thomas-st., Stamford-st., Blackfriars-road, Surrey, ivory cutter.—*Alfred G. Robinson*, Leicester, woolstapler.—*James de Bernardy*, Hanover-st., Hanover-s

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Middlesex, victualler.—*Robert J. Popplewell*, Southampton, outfitter.—*Wm. Medland*, Saint Austell, Cornwall, common brewer.—*Wm. P. Morgan*, Abergavenny, Monmouthshire, innkeeper.—*Nathaniel Bowdler*, Cotton-st., Poplar, Middlesex, licensed victualler.—*Francis Cranswick*, Bridlington, Yorkshire, innkeeper.—*Charles Lee*, Marlborough-cottages, Marlborough-road, Saint John's-wood, Middlesex, jeweller. *Fred. True*, Downham-market, Norfolk, ironmonger.—*Mary Whittaker*, Clitheroe, Lancashire, dealer and chapwoman.—*Mary Jane Shephard*, Liverpool, victualler.—*W. Armstrong*, Norwich, draper.

FIAT ANNULLED.

Abraham Ripley and *Chas. Thorp*, Apperley-bridge, Yorkshire, dyers.

SCOTCH SEQUESTRATIONS.

Duncan M'Kenzie & Co., Paisley, merchants.—*Edward Clements*, Glasgow, tavern keeper.—*Arthur Robertson*, Dunvornie, distiller.—*Adam S. Wares*, Eyemouth, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Pankhurst, Burwash, Sussex, licensed victualler, July 14 at 10, County Court of Kent, at Tenterden.—*John Mantle*, Birmingham, excavator, July 16 at 2, County Court of Warwickshire, at Birmingham.—*Chas. Smith*, Ramsgate, Kent, postmaster, July 17 at 10, County Court of Kent, at Ramsgate.—*Eldred Woodland*, Holmebridge, near Huddersfield, Yorkshire, clerk, July 19 at 10, County Court of Hampshire, at Southampton.—*Chas. G. Meadows*, Norwich, grocer, July 25 at 10, County Court of Norfolk, at Norwich.—*Geo. Sizeland*, Great Yarmouth, Norfolk, coachman, July 25 at 10, County Court of Norfolk, at Norwich.—*Wm. Fisher*, Oxton, Cheshire, following no trade, July 13 at 10, County Court of Cheshire, at Birkenhead.—*Wm. Simpson*, Exeter, travelling draper, July 14 at 10, County Court of Devonshire, at Exeter.—*George Sherwood*, Portsmouth, Southampton, gunsmith, July 20 at 11, County Court of Hampshire, at Portsmouth.—*Edwin Slack*, Barnsley, Yorkshire, staymaker, July 20 at 10, County Court of Yorkshire, at Barnsley.—*George Haxby*, Hunmanby, Yorkshire, grocer, July 20 at 10, County Court of Yorkshire, at Bridlington.—*Robert Pope*, Boarhunt, Southampton, miller, July 20 at 11, County Court of Hampshire, at Portsmouth.—*N. S. Lotinga*, North Shields, Northumberland, shipbroker's clerk, July 28 at 10, County Court of Glamorganshire, at Cardiff.—*Henry Elleman* the younger, Birmingham, out of business, July 16 at 12, County Court of Warwickshire, at Birmingham.—*William Parker*, Southampton, professor of dancing, July 19 at 10, County Court of Hampshire, at Southampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 21 *at* 10, *before Mr. Commissioner* PHILLIPS.

John Smith, Rosling-cottages, West Ham, Essex, inspector of coal ships.—*Samuel Green*, Dean-st., Oxford-st., Middlesex, carman.—*William Bloom*, Richmond-place, Bevor-lane, Hammersmith, Middlesex, plumber.

July 23 *at* 10, *before Mr. Commissioner* LAW.

Wm. Monahan, Mulberry-court, Long-alley, Moorfields, and East-road, City-road, Hoxton, Middlesex, shoemaker.—*Wm. Broomhead*, Clink-street, Borough-market, Southwark, Surrey, collector to meat salesmen.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 20 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Wellesley Medlicott, Heneage-st., Brick-lane, Spitalfields, Middlesex, superintendent of police.—*James Barford*, Wilderness-row, Goswell-st., Middlesex, straw-hat manufacturer.

July 21 *at* 10, *before Mr. Commissioner* LAW.

Joseph Dodman, Sloane-square, Chelsea, Middlesex, shoemaker.—*Thos. Hughes*, Stonebridge-place, Stonebridge-common, Kingsland, Middlesex, silk broker.

July 23 *at* 11, *before the* CHIEF COMMISSIONER.

Fredk. Edw. Kelsey, Marine-cottage, Marine-st., Dockhead, Bermondsey, Surrey, cowkeeper.—*John Winch*, High-row, Knightsbridge, Middlesex, plumber.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Thos. Hardy, Lancaster, out of business, No. 71,085; Geo. Vince, assignee.—*John Kenney*, Everton, near Liverpool, builder, No. 71,069; Wm. M'Kenzie Duckworth, assignee.—*Thos. Watkinson*, Liverpool, joiner, No. 71,223; George Mason, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *July* 20 *at* 11.

Robert Wilkinson, Clitheroe, out of business.—*John Hargreaves*, Cowling, near Colne, weaver.—*John Evans*, Salford, out of business.—*Isaac Cooper*, Manchester, beerseller.—*James Proctor*, Blackburn, out of business.—*Thos. Westall*, Manchester, auctioneer.—*George Wharton*, Manchester, furniture broker.—*Alexander Dolphin*, Preston, gardener.—*George Westall*, Oswaldtwistle, near Blackburn, labourer.—*David Scott*, Manchester, pork butcher.—*David Prax*, Manchester, out of business.—*Peter Roberts*, Liverpool, out of business.—*Geo. Hindle*, Accrington, overlooker in a cotton factory.—*Edw. Kenderdine*, Manchester, cutter to a shoemaker.—*Thos. Yates*, Bury, butcher.—*Wm. Exton*, Preston, builder.—*Hargreaves Hargreaves*, Burnley, butcher.—*Henry Turner*, Manchester, out of business.—*Laurence Murphy*, Liverpool, bookkeeper.—*John Conrad Hafemeier*, Liverpool, potato dealer.—*Edw. Cook*, Manchester, reed maker.—*Wm. Slack*, Chorlton-upon-Medlock, Manchester, filtering-machine maker.—*John Rothwell*, Hoolley Hill, near Ashton-under-Lyne, auctioneer.—*Wm. Laycock*, Lancaster, out of business.—*John Harrison*, Bolton-le-Moors, fishmonger.—*Gustavus Blumenthal*, Manchester, commission agent.—*John Warren*, Hulme, Manchester, out of business.—*James Herbert*, Rochdale, tea dealer.—*John Bradley*, Great Crosby, near Liverpool, farmer.—*James Wallwork*, Bury, in no business.—*Edw. Clemmy*, Manchester, joiner.—*Edward Gardner*, Lancaster, commercial traveller.—*Benj. Moore*, Barrowford, near Colne, out of business.

At the County Court of Hertfordshire, at HERTFORD, *July* 20.

John Jervis, Tring, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, *July* 31 *at* 10.

John Lane, Tewkesbury, licensed victualler.

COURT OF QUEEN'S BENCH.

2nd July, 1849.

This Court will hold a sitting on Wednesday, the 11th day of July instant, at 10 o'clock, (in addition to the sitting on the 5th day of July instant), and deliver judgment in cases previously argued.

BY THE COURT.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Richard Clegg Sutcliffe, Gent., of Brownhill, Burnley, Lancashire, to be a Master Extraordinary in the High Court of Chancery.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed William Tyndall, Gent., of Liverpool, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Lancaster.

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LAW.—A GENTLEMAN, recently admitted, seeks an ENGAGEMENT as CONVEYANCING CLERK in a LONDON OFFICE of good Practice. He would be glad to enter into arrangements which might lead to a Partnership. He has had experience of London and Country Practice, and can attend to the General Business of an Office. Reference may be made to Messrs. Palmer, France, & Palmer, of Bedford-row.

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The Jurist

No. 653—Vol. XIII. JULY 14, 1849. Price 1s.

**** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
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LONDON, JULY 14, 1849.

The tenderness of our law for the female sex has been ably commented upon by both Mr. Christian and Mr. Chitty, in their respective editions of Blackstone's Commentaries. We propose to point out here with what peculiar tenderness the law affects the position of a married woman in respect of her rights, or rather her absence of rights, over her personal freedom. And, firstly, it is quite clear that a married woman is in the custody of her husband; she cannot regularly withdraw herself for any reason from his control, leaving him to be compensated in damages or otherwise for her so doing; but if she does withdraw herself from his control, he may retake her wherever he can find her, subject only to this—that in doing so he may not commit a breach of the peace against third parties. If a husband behave with great cruelty to his wife, she may have, it is true, security of the peace against him. The effect of this is not, however, to allow her to live separate from him, but only to put him on terms not to treat her brutally. Or, if a husband conducts himself, as against his wife, with a certain extent of misconduct, and she removes herself from him, and he, not being able to seize her, brings her before a court of law by habeas corpus, to shew why she refuses to abide with him, a court of law will allow her to shew, on the return to the habeas corpus, the husband's misconduct as a justification; and the Court will, if the justification be sufficient, refuse to order her to be delivered up to the husband, and protect her on her return to her friends*.

But it is apprehended, that nothing short of proof of adultery in the husband, or of actual or seriously threatened and contemplated personal violence, would be sufficient so to induce a court of law to refuse its assistance to the husband. There seems, indeed, no reason why a court of law should curtail his common-law rights, and no reason to suppose that it would, except where the facts are such as would support a suit by the wife in the Ecclesiastical Court for divorce; and it is clear, that such a suit can only be maintained where there has been adultery or actual personal violence, or well-grounded fears of such violence; or, at least, such conduct as is dangerous to the person or health of the wife. It has not long ago been decided in the Ecclesiastical Court, that for a person, in the station of a gentleman, to spit in his wife's face, is not an act so destructive of her domestic comfort, so inconsistent with the marital relation, as to support a suit for divorce; "so great a favourite," as Sir W. Blackstone hath it, "is the female sex with the laws of England!"

It is also clear law, that a husband may restrict his wife's personal liberty—in other words, that he may lock her up to prevent her going into society of which he disapproves; and it does not seem that the Court will take on itself to inquire whether the grounds of disapproval are substantial. The duty of the wife is to obey implicitly the husband's mandate, of the rationality or justice of which he alone is, in general, the judge. No doubt there may be cases in which the exercise of the husband's right would be held illegal—that is, in cases where that which the wife desired to do, contrary to the husband's orders, should be a legal, or perhaps even where it should be a moral, duty. But, generally

* *Rex* v. *Brooke and Fladgate*, (4 Burr. 1991). It is not stated, in this case, that the Court put any permanent restraint on the husband's right to take his wife, but only refused to assist him, and protected her on her return to her friends pro hâc vice: and it is to be doubted whether the Court could go further.

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speaking, the right of the husband is as we have stated it.

The result is, that a married woman has, at the common law, strictly speaking, no right of personal liberty; and that she has, while married, but slender protection against abuse of the husband's right of custody of her person—her protection consisting, at the utmost, in the Courts refusing to lend their aid to the husband to force her to live with him, if she can contrive to avoid being personally seized and carried away by him.

There is, in fact, but one mode of proceeding by which a married woman can obtain effectual separation from her husband, and that is by suit in the Ecclesiastical Court for divorce. But, as we have seen, such a suit can only be supported for adultery, or propter sævitiam, and the sævitia must be such as not merely to make life a burthen to the wife, in the sense of making her unhappy, but such as to endanger her person or health. We are not here going to discuss whether such a law is wise or chivalrous; we content ourselves with stating that it is the law, and that it is not a state of the law which at all justifies the notion, that the female sex is a great favourite of the laws of England.

STAMPS ON MORTGAGES TO BENEFIT BUILDING SOCIETIES.

In a case of *Walker* v. *Giles*, decided in the beginning of last term, (and reported in our present number, part 1, p. 566), the Court of Common Pleas held, that, by the conjoint operation of the Friendly Societies Act, (10 Geo. 4, c. 56), and the Building Societies Act, (6 & 7 Will. 4, c. 32), mortgages to building societies are exempted from stamp duty. Glad as we should be to assist in mitigating the rigour of the stamp laws, especially in their operation upon small transactions, we cannot acquiesce in the correctness of this construction of the latter act, and feel it to be our duty to warn the trustees and advisers of building societies against acting on that decision—a course which, if the liability of such securities to stamp duty should be established, would occasion irreparable mischief, because securities to building societies, if liable to stamp duty at all, are almost always so framed as to be liable to the highest duty, unless an express limitation of the amount to be recovered is inserted, which limitation would, of course, not be inserted by those who acted on the case of *Walker* v. *Giles*.

In that case the deed in question was a mortgage by demise of leaseholds to the trustees of a building society, upon trust to permit the mortgagors to hold the premises and receive the rents until default in payment of the subscriptions intended to be secured, with an agreement by the mortgagors to become tenants at will of the trustees, at a yearly rent, payable quarterly, and a declaration that the deed should not be a security for more than 840*l*. The deed bore a 5*l*. stamp, which was the proper ad valorem stamp on a mortgage for 840*l*. It was objected that the contract for the tenancy of the mortgagors amounted to a lease, and required a lease stamp. But the Court held that the stamp was sufficient, because the stat. 6 & 7 Will. 4, c. 32, s. 4, incorporates in that act "all the clauses and provisions of the Friendly Societies Act," and among them the 37th section, which exempts all securities, &c. to friendly societies from stamp duty; and the 5*l*. stamp might, therefore, be appropriated to the lease, which stamp the Court, singularly enough, seems not to have considered as coming within the supposed exemption. The stamp, however, was clearly sufficient without the aid of the Friendly Societies Act, because the demise was made for the purposes of the security, and being, therefore, incident to it, came within the exception in the clause, under the title "MORTGAGE" in the schedule to the Stamp Act, by which a mortgage-deed containing any other matter or thing "*except what shall be incident to such mortgage*," is made liable to the duty on such extraneous matter, in addition to the mortgage duty.

The 6th section of the Building Societies Act enacts, that all the "provisions" of the Friendly Societies Acts, (10 Geo. 4, c. 56, and 4 & 5 Will. 4, c. 40), "so far as the same or any part thereof may be applicable to the purpose of any building society, *and* to the framing, certifying, inrolling, and altering the rules thereof, shall extend and apply to such benefit building society, and the rules thereof, in such and the same manner as if the provisions of the said acts had been herein expressly re-enacted." The obvious intention here is, not to incorporate all the provisions relating to friendly societies which could possibly be applicable to benefit building societies or to any transactions or matters between such societies and their members or third persons, but to incorporate those provisions only which are applicable to the framing, altering, &c. of the *rules* of a benefit building society.

The 37th section of the 10 Geo. 4, c. 56, exempts from stamp duties all copies of rules, powers of attorney for transfers of funds, receipts for funds and monies, bonds and other securities given to or on account of any friendly society, drafts, orders, forms of assurance, appointments of agents, and all other instruments or documents whatever "required or authorised to be given, issued, signed, made, or produced, in pursuance of this act." This is plainly not a "provision applicable to the purpose of any benefit building society, *and* to the framing, certifying, inrolling, and altering the rules thereof;" and if it did come within that description, we do not see how an enactment, merely that such provision shall "extend and apply to such benefit building society, and the rules thereof," can extend it to a mortgage made by a member of the society.

That the exemption in question was not intended to be incorporated in the Building Societies Act is plain from the 5th clause of that act, which, evidently for the purpose of exempting the members from the stamp duties on re-conveyances of their mortgages, enacts, that a receipt for the mortgage-money shall re-vest the mortgaged estate without any re-conveyance, and from the 8th section, which expressly exempts the rules of building societies, and copies thereof, and transfers of shares in such societies, from stamp duties.

We shall take an early opportunity of discussing the very serious question suggested by the Court of Exchequer in the case of *Cuthill* v. *Kingdom*, (1 Exch. Rep. 494), as to whether the stat. 6 & 7 Will. 4, c. 32, does not require that no member of a building society within its protection shall hold shares amounting in *the aggregate* to more than 150*l*. Many titles to small properties depend on this question. G. S.

Her Majesty has been pleased to appoint Robert Garraway M'Hugh, Esq., to be Second Puisne Judge of the Royal Court of the Island of St. Lucia.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Robert Dukinfield Darbishire, Gent., of Manchester, to be a Master Extraordinary in the High Court of Chancery.

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Review.

A Collection of Copyhold Precedents in Conveyancing, arranged for General and Ordinary Use; together with introductory Treatises upon the various Transactions and Occurrences incident to Estates of Customary Tenure, and an Appendix of Abstracts of Title, and Extracts from relative Acts of Parliament. By John Fish Stansfield, Esq. 8vo., *pp.* 412. [*Benning.*]

The graces of style and composition have seldom been bestowed upon legal productions. The "enchanting harmony" of Blackstone's periods is, indeed, acknowledged even by Bentham; and Mr. Hayes, in our own time, has aimed at the reputation of an elegant writer, not without success. Mr. Preston, too, astonished the world nearly as much by his style as by his learning. To these exceptional instances must now be added the work before us, which is written, as we shall shew by a few examples, in language of no common stamp. Our first extract is from the opening of the second chapter, on intestacy and descent:—

"Since the power to make a will, but few persons 'who have immediate relations are so improvident as 'to leave their property to legal distribution. A wise 'discretion is exercised by a testamentary declaration 'of the disposal of every man's possessions and chattels, 'thus obviating those litigious quarrels which other-'wise occasionally disturb the peace of a family. It is 'not, however, an agreeable duty to perform, since men 'are so indolently averse to make any preparation for 'that serious finale common to us all, although a me-'lancholy accident or sudden illness does sometimes 'occur, inflicting the inflexible veto of death upon hu-'man faculty or will."

From the above passage, the opinion appears to be a vulgar error, that more litigation arises upon wills than upon the statutes of distributions and the canons of descent. Our next extract contains a lesson of politeness, and also a trait relating to the habits of the elder members of the Profession, which is new to us:—

"When a will of copyholds has been legally drawn 'and executed, the testator dead, and his will proved, 'either the executors or trustees thereof must be ad-'mitted; at least, such is the practice, though certainly 'such a requisite can be obviated by the form of the 'instrument. Disputation should not, however, be in-'dulged, and it is more courteous to the lord, and usual 'in practice, to take admittance. Before proceeding to 'the requisites of such admittance, the form of sur-'render previously in use as a preliminary to a will, is 'inserted, upon the assumption that a more correct idea 'may be formed of what was lately the practice, and in-'deed I believe even yet observed by the elder members 'of the Profession." (p. 14).

In treating of an obscure point in the law of curtesy our author adopts an ornament of which there are some celebrated examples in the Iliad, Faery Queen, Castle of Indolence, &c., namely, the reflection or imitation of the character of the subject in the language:—

"As when great Ajax strives some rock's vast weight to throw,
The line too labours, and the verse moves slow."

"There is still another undecided point in curtesy 'which materially affects this estate, and that is where 'custom does not in distinct terms limit its enjoyment 'to cases where issue have been born, that connubial 'sterility will by virtue of the nuptials alone entail 'curtesy." (p. 30).

If we rightly interpret the following passage, it is meant to convey a general warning against riches, although the author's strict regard for method obliges him to confine the illustration to copyholds, in a work limited to the consideration of that kind of wealth:—

"Occasionally instances occur where a person under 'age, or a married woman, becomes entitled, either by 'intestacy, descent, will, or the limitations of some set-'tlement, to an estate of inheritance in copyhold lands; 'and more lamentable instances also occur in those 'family afflictions where an individual relative becomes 'demented," &c. (p. 38).

Our next extract illustrates our author's power of giving novel and important information in few words. From it we learn that a composition with creditors is an act of bankruptcy, and that an assignment for the benefit of creditors is only an act of bankruptcy under the 6 Geo. 4, c. 16, ss. 3 and 4, when it is executed in the manner and acted upon within the period prescribed by that act:—

"It must not be forgotten, that deeds of assignment 'and composition are acts of bankruptcy, if acted upon 'within the prescribed period, and executed as legally 'required." (p. 67). [In the form to which this passage is prefixed, the debtor's signature is prescribed, but no mention is made of the execution by the trustees, and attestation, required by the Bankrupt Act.]

We have only space for one more extract. It is from the chapter on settlements:—

"It would, however, be approaching a treatise upon 'metaphysical phenomena to endeavour any outline of 'the very diverse purposes contemplated in the limita-'tions of settlements: the practitioner ought to be cog-'nisant of the rules and decisions affecting the whims 'of his fellow-mortals, so as to direct the helm of 'their fancies steadily through the ripple of these legal 'eddies."

We have looked over the precedents in this work with some attention, and infer, from the absence of any hint of the possibility of dealing with copyholds by means of a power of appointment, that they have been principally derived from the repertories of those elder members of the Profession to whom Mr. Stansfield alludes. As powers of appointment frequently afford the means of keeping some hundreds of pounds in the pocket of the copyholder or his vendee, which would otherwise have gone to the lord, together with smaller disbursements in the shape of fees to the steward, they have naturally created much "disputation," the avoidance of which, and the observance of an inviolable courtesy towards the lord, were probably the objects Mr. Stansfield had in view when he determined to take no notice of those modern and popular innovations. But we think he should have noticed them, if only to stamp them with reprobation. For the same reason, we presume, no form is given of a bargain and sale of copyholds by trustees for sale under a will.

Some of the precedents are necessarily of a modern character; such are those relating to entailed estates. But even here we think we see indications of the intervention of some old, not to say aged, practitioner. Thus, No. 43 is a form of a surrender by tenant in tail *in possession*, with the consent of the *protector*, and contains a recital of a devise to the surrenderor and the heirs of his body in possession, with remainder over, and is expressed to be made with the consent of "the protector named in the said recited will." To a like venerable source we trace the precedents of agreements for sale and conditions for sale, without any of those modern provisions as to deduction of title, evidence, expenses, &c., which a provincial law association some years ago denounced as being detrimental to the interests of the Profession.

One hundred and fifty pages of the book consist of reprints of, or extracts from, acts of Parliament: among them we observe the Fines and Recoveries Act, the Act to render Freeholds and Copyholds Assets for Debts, the Inheritance Act, the Exchange of Lands in Common Fields Act, (4 & 5 Will. 4, c. 30), the Wills Act, and the "Act to amend the Law of Real Property," (8 & 9

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Vict. c. 106), all in extenso; also the clauses in the stat. 1 & 2 Vict. c. 110, relating to judgments, although the stat. 2 & 3 Vict. c. 11, which repeals those enactments in favour of purchasers without notice, is omitted. The 64th section of the Bankrupt Act, (6 Geo. 4, c. 16), which does not relate to copyholds, is given; but the 68th, which does relate to copyholds, and the 1 & 2 Will. 4, c. 56, s. 26, which superseded the 64th section of the Bankrupt Act, are omitted.

In conclusion, we congratulate those of our readers who have already purchased Mr. Stansfield's production, on the possession of a work of very peculiar merit, containing forms such as are seldom seen at the present day, and information not to be found in other books, expressed in language such as few persons, either in or out of the Profession, have the ability or the taste to employ.

London Gazettes.

TUESDAY, July 10.

BANKRUPTS.

EDWARD ARCHER, Clare-st., Clare-market, Middlesex, baker, dealer and chapman, July 17 at 12, and Aug. 24 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. C. W. & C. H. Lovell, 14, South square, Gray's-inn. —Fiat dated July 7.

JOHN KING and JOSEPH FRANCIS KING, Wellsrow, St. Mary, Islington, Middlesex, builders and chapmen, July 19 at 12, and Aug. 25 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Theobald, 16, Furnival's-inn.—Fiat dated July 9.

SAMUEL HEAD, Woodbridge, Suffolk, upholsterer and furniture dealer, dealer and chapman, July 17 at half-past 2, and Aug. 15 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. T. J. & E. S. Clarke, Bishopsgate-churchyard.—Fiat dated July 2.

GEORGE SQUIRE, St. Neot's, Huntingdonshire, merchant, dealer and chapman, July 24 at 2, and Aug. 15 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Parker & Co., 17, Bedford-row.—Fiat dated July 7.

JOHN IVESON, Stokesley, Yorkshire, builder and bricklayer, dealer and chapman, July 23 and Aug. 13 at 1, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Harle & Clarke, Leeds; Trinder & Eyre, John-st., London.—Fiat dated June 4.

WILLIAM EDDISON, Rastrick, Halifax, Yorkshire, fancy woollen manufacturer, dealer and chapman, July 23 and Aug. 14 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Payne & Co., Leeds; Hartley, Southampton-street, London.—Fiat dated July 2.

THOMAS PROCTER, Preston, Lancashire, spindle and fly maker, July 23 and Aug. 21 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Armstrong, Preston; Sale & Co., Manchester; Chester & Co., 11, Staple-inn, London.—Fiat dated July 4.

JAMES MORGAN, Liverpool, hotel keeper, dealer and chapman, July 23 and Aug. 14 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Yates, jun., Liverpool; Holme & Co., New-inn, London.—Fiat dated July 2.

Meetings.

Jas. Swinburn, Ledbury-terrace, Westbourne-grove West, Notting-hill, Middlesex, builder, July 21 at 12, Court of Bankruptcy, London, pr. d.—*James Hymers*, Gateshead, Durham, newspaper proprietor, July 19 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Harrison*, Hereford, mercer, July 21 at 12, District Court of Bankruptcy, Birmingham, last ex.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joel Wilson, West Bromwich, Staffordshire, steel manufacturer, Aug. 4 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before July 31.

Matthew Strang, Liverpool, merchant.—*Thomas Marson*, South-place, Finsbury, Middlesex, dealer in horses.—*W. H. Osborn* the younger, St. James's-st., Piccadilly, Middlesex, silversmith.—*T. Bishop*, Malden, Herefordshire, cattle dealer. —*John Nicholls*, Snow-hill, London, ironmonger.—*Richard Smithies*, Turner Fold, Aighton Bailey, and Chaigpley, Lancashire, timber dealer.—*G. L. Richardson*, Liverpool, cutler. —*Jas. Vaughan*, Hereford, plumber.—*John Taverner*, Nuneaton, Warwickshire, draper.—*William Scott*, Exeter, ironmonger.—*Alfred Westley*, Holme-mills, Southill and Biggleswade, Bedfordshire, miller.

Scotch Sequestrations.

Robert Glen, Garshake, by Dumbarton, and Edinburgh, corn merchant.—*Andrew Murray*, Edinburgh, printer.—*John Corstorphine*, Leith, wine merchant.—*James Cowan*, Edinburgh, paper manufacturer.—*James and Alexander Crabb*, Montrose, bakers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Bowes, Birmingham, baker, July 16 at 2, County Court of Warwickshire, at Birmingham.—*Richard Millen*, Pigtail Farm, Minster, Isle of Sheppey, Kent, farmer, July 21 at 10, County Court of Kent, at Sheerness.—*Wm. Cornford*, Minster, Isle of Sheppey, Kent, brickmaker, July 21 at 10, County Court of Kent, at Sheerness.—*William Richards*, Pontypool, Monmouthshire, painter, July 24 at 10, County Court of Monmouthshire, at Pontypool.—*S. Pugh*, Abersychan, Trevethin, Monmouthshire, grocer, July 24 at 10, County Court of Monmouthshire, at Pontypool.—*Joseph Lee*, Rastrick, Halifax, Yorkshire, dyer, July 18 at 10, County Court of Yorkshire, at Halifax.—*James Fielding*, Bury, Lancashire, bookkeeper, Aug. 1 at 12, County Court of Lancashire, at Bury.—*J. Jones*, The Green, near Brymbo, Denbighshire, collier, July 25 at 10, County Court of Denbighshire, at Wrexham.—*John Corns*, Salford, Lancashire, clerk in the railway clearing-house in Manchester, July 23 at 12, County Court of Lancashire, at Salford.—*William Jackson Monkhouse*, Panteague, Monmouthshire, agent, July 24 at 10, County Court of Monmouthshire, at Pontypool.—*Robt. Cole*, Helions Bumpsted, Essex, farmer, July 23 at 2, County Court of Suffolk, at Haverhill.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 24 at 11, *before Mr. Commissioner* Harris.

John Parks, Coburg-terrace, Coburg-road, Old Kent-road, Surrey, dealer in cigars.—*Mark Tuck*, Mayfield-place, High-street, Kensington, Middlesex, tailor.—*Wm. Conley*, Whitechapel-road, Middlesex, out of business.—*George William*, Great Charlotte-street, Blackfriars-road, Surrey, commercial clerk.

July 25 *at* 11, *before the* Chief Commissioner.

Frederick Dover, Claremont-terrace, Prince of Wales-road, Kentish-town, Middlesex, surgeon.—*Wm. Chapman*, Laurel-cottage, Ealing, Middlesex, out of business.—*William Wainwright*, St. Chad's-row, Gray's-inn-lane, Middlesex, out of business.

Saturday, July 7.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Charles John King, Chelmsford, Essex, pork butcher, No. 71,086 C.; James Dodd, assignee.—*Henry M. Pratt*, Eye, near Peterborough, Northamptonshire, in no business, No. 71,077 C.; Wm. D. Gaches, assignee.—*Richard Killick* the elder, Regent-st., Lambeth, Surrey, ironmonger, No. 60,778 T.; Thos. Weeks, assignee.—*W. Antill*, Gloucester, fruiterer, No. 71,101 C.; Wm. Higgs the younger, assignee.—*William*

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Smith, Lower Town, Ashperton, Herefordshire, auctioneer, No. 70,915 C.; Thomas Hardwick, assignee.—*Aaron Parfitt*, Speenhamland, Berkshire, coach builder, No. 59,731 T.; A. Kershaw, assignee.—*Wm. H. Metcalfe*, Westminster-bridge-road, Surrey, druggist, No. 60,459 T.; John Clue, assignee.—*Jairus James Wilcocks*, Paddington, Middlesex, surgeon, No. 60,529 T.; James Adams, assignee.—*J. Wretton*, Felix-place, Islington, Middlesex, builder, No. 60,723 T.; Wm. Sykes and Philemon Edwards, assignees.—*John Harrison* the younger, Dover, Kent, tailor, No. 71,148 C.; William Fells, assignee.

Saturday, July 7.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Bone, Royal-hill, Greenwich, Kent, cabinet maker: in the Queen's Prison.—*George D. Browne*, Crown-street, Finsbury-sq., Middlesex, engraver: in the Queen's Prison.—*James Baker*, Alfred-row, Shepherd's Bush, Hammersmith, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*John Everitt*, Queen-sq., Bartholomew-close, London, general agent on commission: in the Debtors Prison for London and Middlesex.—*Wm. Wesley Withers*, Lower George-st., Sloane-st., Chelsea, Middlesex, furniture broker: in the Debtors Prison for London and Middlesex.—*Alex. H. Brandon*, Lyon's Inn, Strand, Middlesex, draughtsman: in the Debtors Prison for London and Middlesex.—*H. Brown*, Hickman's-folly, Bermondsey, Surrey, baker: in the Debtors Prison for London and Middlesex.—*Charles Collins*, Charles-street, Woolwich, Kent, scavenger to the Board of Ordnance at Woolwich.—*Peter Glass*, Bermuda-st., Stepney, Middlesex, tin-plate worker: in the Debtors Prison for London and Middlesex.—*William Oaks*, Devonshire-st., Bishopsgate-st., London, civil engineer: in the Debtors Prison for London and Middlesex.—*Geo. Harding*, New Gravel-lane, Shadwell, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Thomas Smith*, Charlotte-st., Blackfriars-road, Surrey, out of business: in the Queen's Prison.—*Samuel A. Oliver*, Oxford-st., Middlesex, hatter: in the Debtors Prison for London and Middlesex.—*Layton Cooke*, Beckford-place, Kennington, Surrey, surveyor: in the Debtors Prison for London and Middlesex.—*Wm. S. Walker*, Bennett-street, Piccadilly, Middlesex, pastrycook: in the Queen's Prison.—*John Bradley*, Ashton-under-Lyne, Lancashire, out of business: in the Gaol of Lancaster.—*H. Hargreaves*, Burnley, Lancashire, butcher: in the Gaol of Lancaster.—*J. Harrison*, Bolton-le-Moors, Lancashire, fishmonger: in the Gaol of Lancaster.—*Lawrence Murphy*, Everton, Liverpool, bookkeeper: in the Gaol of Lancaster.—*David Prax*, Manchester, general dealer: in the Gaol of Lancaster.—*William Slack*, Chorlton-upon-Medlock, Manchester, filtering machine maker: in the Gaol of Lancaster.—*David Scott*, Manchester, shoemaker: in the Gaol of Lancaster.—*Wm. Swinburn*, Manchester, baker and flour dealer: in the Gaol of Lancaster.—*Henry Turner*, Hulme, Manchester, shoemaker: in the Gaol of Lancaster.—*Thomas Westall*, Manchester, auctioneer: in the Gaol of Lancaster.—*George Wharton*, Manchester, furniture broker: in the Gaol of Lancaster.—*Stephen Clifford*, Chipping Campden, Gloucestershire, licensed victualler: in the Gaol of Gloucester.—*Geo. Hindle*, Accrington, Lancashire, overlooker in a cotton-factory: in the Gaol of Lancaster.—*John Rothwell*, Ashton-under-Lyne, Lancashire, auctioneer: in the Gaol of Lancaster.—*Gustavus Blumenthal*, Manchester, commission agent: in the Gaol of Lancaster.—*Edw. Clemmy*, Chorlton-upon-Medlock, Manchester, joiner: in the Gaol of Lancaster.—*John Warren*, Hulme, Manchester, provision dealer: in the Gaol of Lancaster.—*Thomas Coggin*, Sheffield, Yorkshire, horn presser.—*Dan. Cronin*, Toxteth-park, Liverpool, doctor of medicine: in the Gaol of Lancaster.—*George Taylor*, Purcombe Farm, Whitechurch, Canonicorum, near Bridport, Dorsetshire, labourer: in the Gaol of Dorchester.—*Llewellyn Gilbert Shelland*, Lydney, Gloucestershire, renter of tolls: in the Gaol of Gloucester.—*Henry James Marmion Bramall*, Tamworth, Staffordshire, attorney: in the Gaol of Warwick.—*John Sier*, Cheltenham, Gloucestershire, baker: in the Gaol of Gloucester.—*Henry Harris* the younger, Caerleon, Monmouthshire, shoemaker: in the Gaol of Monmouth.—*John Sutcliffe*, Rochdale, Lancashire, out of business: in the Gaol of Lancaster.—*Robt. Craig*, Allotment, near Backworth, Northumberland, surgeon: in the Gaol of Morpeth.—*Charles Mortimer*, Great Horton, near Bradford, Yorkshire, topmaker: in the Gaol of York.—*Lewis Cohen*, Newcastle-upon-Tyne, jeweller: in the Gaol of Newcastle-upon-Tyne.—*Jos. Jackson*, Brotherton, near Ferrybridge, Yorkshire, slater: in the Gaol of York.—*Geo. Shirley*, Rochester, Kent, grocer: in the Gaol of Maidstone.—*Solomon Cohen*, Newcastle-upon-Tyne, jeweller: in the Gaol of Newcastle-upon-Tyne.—*Roger Hesketh Barton*, Ulverstone, Lancashire, surgeon: in the Gaol of Lancaster.—*James Herbert*, Manchester, commission agent: in the Gaol of Lancaster.

(On Creditors' Petition).

Thos. Morris, Meapland Colliery, Kingswinford, Staffordshire, coal master: in the Gaol of Stafford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 26 at 10, before Mr. Commissioner PHILLIPS.

Charles Lister, Norfolk-road, St. John's-wood, Middlesex, not in any trade.—*Geo. Edw. Noone* the elder, Norland-road, Notting-hill, Middlesex, engineer.—*Jas. Baker*, Alfred-place, Shepherd's Bush, Hammersmith, Middlesex, house agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at NORWICH CASTLE, *July 24 at 10.*

Francis Balls, Great Yarmouth, butcher.—*Lawrence Bell*, Wretton, husbandman.

At the County Court of Norfolk, at the Guildhall at NORWICH, *July 25 at 10.*

Elizabeth Neale, Heigham, widow.

MEETING.

John Latham, Chorlton-upon-Medlock, and Manchester, attorney-at-law, July 26 at 11, Court-house, Portugal-street, Lincoln's-inn-fields, London, sp. aff.

INSOLVENT DEBTOR'S DIVIDEND.

George Wm. Chard, Winchester, doctor of music, July 20, at Lampard & Bowker's, Winchester: 2*s.* 6½*d.* in the pound, (in addition to former dividends of 5*s.* 6*d.*)

FRIDAY, JULY 13.

INSOLVENT.

JOHN RANN the younger, Dudley, Worcestershire, printer, bookseller, and stationer, dealer and chapman.

BANKRUPTS.

THOMAS GRICE, Ardwick, near Manchester, draper, dealer and chapman, July 23 and Aug. 21 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Cobbett, Manchester; Spinks, 39, Great James-street, Bedford-row, London.—Fiat dated July 3.

EDWARD ASH BALL, Manchester, share broker, dealer and chapman, July 26 and Aug. 16 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Hitchcock & Co., Manchester; Gregory & Co., Bedford-row, London.—Fiat dated July 7.

JOSEPH EVERALL, Whitchurch, Shropshire, chemist and druggist, dealer and chapman, July 24 and Aug. 21 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Harper & Jones, Whitchurch; Hodgson, Birmingham.—Fiat dated July 9.

GEORGE BATE, Bloomsbury, Wolverhampton, Staffordshire, joiner, carpenter, and publican, July 26 and Aug. 18 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Bennett & Thorne, Wolverhampton; Motteram & Co., Birmingham.—Fiat dated July 7.

EDMUND WILLCOX and JOHN WILLCOX, Aberdare, Glamorganshire, grocers and dealers in corn, July 26 and Aug. 23 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Bird, Cardiff; Rowland & Co., London.—Fiat dated July 7.

JOHN HODGE, Colyton, Devonshire, currier, dealer and chapman, July 25 and Aug. 21 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Terrell, Exeter; Terrell, Gray's-inn, London.—Fiat dated July 5.

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JOHN JONES the younger, and THOMAS OAKES, Kingswinford, Staffordshire, ironmasters, coalmasters, iron-founders, dealers and chapmen, July 26 and Aug. 30 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Fellowes & Co., Dudley; Bourne & Wainwright, Dudley.—Fiat dated July 10.

WILLIAM PONTING, Calne, Wiltshire, nurseryman, dealer and chapman, July 26 and Aug. 23 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Pratt, Wootton Bassett; Ayre, jun., Bristol: Boykett, Chancery-lane, London.—Fiat dated July 2.

THOMAS HUGHES, Lincoln, saddler and harness maker, dealer and chapman, July 25 and Aug. 22 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Thomas, jun., Walsall; Lightfoot & Co., Hull; Rickards & Walker, Lincoln's-inn, London.—Fiat dated July 2.

WILLIAM HASKAYNE, Liverpool, merchant and ship broker, July 23 and Aug. 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Yates, jun., Liverpool; Holme & Co., New-inn, London.—Fiat dated July 10.

ROBERT TAYLOR, Liverpool, ironmonger, July 23 and Aug. 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool; Oliver, Old Jewry-chambers.—Fiat dated June 29.

Meetings.

Joseph R. Pim, Birkenhead, Cheshire, brickmaker, Aug. 1 at 11, District Court of Bankruptcy, Liverpool, last ex.—*W. Wreford, Edwin Cox Nicholls*, and *Wm. E. Wreford*, Bristol, sharebrokers, Aug. 9 at 11, District Court of Bankruptcy, Bristol, last ex. of *E. C. Nicholls*.—*Thomas Fenwick* and *Robt. Kidd*, Tynemouth, Northumberland, common brewers, Aug. 3 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Wm. Birks, Thomas Shipman* the younger, and *Benj. Shipman*, Nottingham, lace manufacturers, Aug. 17 at 10, District Court of Bankruptcy, Nottingham, last ex.—*James Payant*, Manchester, and Lisbon, Portugal, merchant, July 23 at 12, District Court of Bankruptcy, Manchester, last ex.—*George Sharp* and *Robert L. Fluder*, Romsey, Southampton, timber merchants, Aug. 3 at 11, Court of Bankruptcy, London, aud. ac.—*Isaac Terry*, Haymarket, Middlesex, watch manufacturer, Aug. 3 at 11, Court of Bankruptcy, London, aud. ac.—*John Percy* the younger, High-st., Camberwell, Surrey, oilman, Aug. 7 at 2, Court of Bankruptcy, London, aud. ac.—*George Davis* the younger, Lawrence-lane, London, and Burton Mills, Burton Latimer, and Isham Mills, Isham, Northamptonshire, worsted spinner, Aug. 7 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. Little*, Walcot, Somersetshire, draper, Aug. 10 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Simon Lee Trotman*, Liverpool, merchant, Aug. 3 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Aug. 8 at 11, div.—*John Walker* and *William Walker*, Birkenhead, Cheshire, joiners, Aug. 3 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Aug. 8 at 11, div.—*John Woodhouse*, Darlington, Durham, butcher, Aug. 9 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*James C. Allen*, North Shields, Northumberland, brewer, Aug. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Aug. 30 at 11, div.—*Norman Bruce*, Farringdon-street, London, printer, Aug. 3 at 1, Court of Bankruptcy, London, div.—*J. Nicholls*, Snow-hill, London, ironmonger, Aug. 3 at 12, Court of Bankruptcy, London, div.—*Frederick Cox*, Liverpool, straw plait dealer, Aug. 1 at half-past 1, Court of Bankruptcy, London, div.—*Edward Bowring*, Lawrence-lane, Cheapside, London, silk shag manufacturer, Aug. 1 at 2, Court of Bankruptcy, London, div.—*Jonas Joys*, Moreton-in-Marsh, Gloucestershire, shoemaker, Aug. 14 at 11, District Court of Bankruptcy, Bristol, div.—*Geo. Bigge Orchard*, Bath, upholsterer, Aug. 7 at 11, District Court of Bankruptcy, Bristol, div.—*John Jordan, James White*, and *John Lewis Aldridge*, Coventry, Warwickshire, brewers, Aug. 7 at 10, District Court of Bankruptcy, Birmingham, and. ac. and fin. div.—*Richard Atkinson*, Whitehaven, Cumberland, ironmonger, Aug. 6 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John King*, Helmsley, Yorkshire, surgeon, Aug. 6 at 12, District Court of Bankruptcy, Leeds, div.—*J. Tattersall*, Old Lyons, Over Darwen, Lancashire, coal dealer, July 25 at 12, District Court of Bankruptcy, Manchester, div.—*Humphrey Layfield*, Burnley, Lancashire, boiler maker, July 25 at 12, District Court of Bankruptcy, Manchester, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Warne, Newport, Isle of Wight, Southampton, grocer, Aug. 2 at half-past 12, Court of Bankruptcy, London.—*Robert Haylock*, Cambridge, chemist, Aug. 7 at half-past 2, Court of Bankruptcy, London.—*Horatio Hyland*, Staple Cross, Ewhurst, Sussex, grocer, Aug. 7 at 11, Court of Bankruptcy, London.—*J. Perry* the younger, High-st., Camberwell, Surrey, oilman, Aug. 7 at 2, Court of Bankruptcy, London.—*Arthur White*, Wimborne Minster, Dorsetshire, saddler, Aug. 13 at 12, Court of Bankruptcy, London.—*George Kinnell*, Bolton-terrace, Edward-street, Walworth, Surrey, hearth rug manufacturer, Aug. 6 at half-past 11, Court of Bankruptcy, London.—*Benj. Dickison*, Little Tower-street, London, wine merchant, Aug. 6 at 12, Court of Bankruptcy, London.—*Thos. Hollyman*, Clevedon, Somersetshire, butcher, Aug. 14 at 11, District Court of Bankruptcy, Bristol.—*Wm. Vowler*, Crediton, Devonshire, auctioneer, Aug. 8 at 11, District Court of Bankruptcy, Exeter.—*Jos. Durber*, Wolstanton, Staffordshire, provision dealer, Aug. 7 at 10, District Court of Bankruptcy, Birmingham.—*John Phillipps*, Upper Bullingham, Herefordshire, banker, Aug. 4 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 3.

Wm. Stone, Wood-st., London, laceman.—*Robt. Barnes*, Woodbridge, Suffolk, innkeeper.—*J. Gurney*, Union Brewery, Lambeth-walk, Surrey, brewer.—*Robert Mansell*, Newent, Gloucestershire, timber merchant.—*Joseph Bussi*, Walsall, Staffordshire, timber merchant.—*Charles Smith*, Enfield, Middlesex, wine merchant.—*Henry Goring*, Hanwell, Middlesex, butcher.

Partnership Dissolved.

Chas. Shaw and *George Baynes*, Fish-street-hill, London, attornies and solicitors.

Scotch Sequestrations.

Wm. Edgar, Nitshill, Paisley, wright.—*Pillans* and *Home*, Edinburgh, share brokers.—*Wm. Young*, Kilwinning, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Watkinson Martin, Liverpool, saddler, July 16 at 10, Liverpool District County Court, at Liverpool.—*Richard Maddock*, Liverpool, out of business, July 16 at 10, Liverpool District County Court, at Liverpool.—*D. Morton*, Liverpool, musician, July 16 at 10, Liverpool District County Court, at Liverpool.—*T. Tribe*, serving on board the Leonidas Division Ordinary Ship, stationed at Sheerness, Kent, lieutenant in the Royal Navy, July 21 at 10, County Court of Kent, at Sheerness.—*P. C. Flanagan*, Rochdale, Lancashire, druggist, Aug. at 12, County Court of Lancashire, at Rochdale.—*Wm. Holmes*, Heckington, near Sleaford, Lincolnshire, labourer, Aug. 24 at 11, County Court of Lincolnshire, at Sleaford.—*Sarah Dee*, Bishopstreame, Herefordshire, out of business, Aug. 10 at 10, County Court of Herefordshire, at Bromyard.—*Wm. Barton*, Bloxwich, Staffordshire, bit maker, July 2 at 12, County Court of Staffordshire, at Walsall.—*H. Cooper*, Bloxwich, Staffordshire, publican, July 24 at 12, County Court of Staffordshire, at Walsall.—*Saml. Nicholls*, Walsall, Staffordshire, builder, July 24 at 12, County Court of Staffordshire, at Walsall.—*William Atkinson*, Wolverhampton, Staffordshire, grocer, July 31 at 12, County Court of Staffordshire, at Wolverhampton.—*William Vaughan*, Bilston, Staffordshire, victualler, July 31 at 12, County Court of Staffordshire, at Wolverhampton.—*Robert Smyth*, Yoxford, Suffolk, butcher, July 25 at 2, County Court of Suffolk, at Halesworth.—*George T. A. F. Kelly*, Pembroke Dock, Pembrokeshire, perpetual curate of St. John's parish, Pembroke Dock, July 26 at 9, County Court of Pembrokeshire, at Pembroke.

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The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 30 *at* 10, *before Mr. Commissioner* LAW.

Richard Oddy, Weymouth-terrace, Hackney-road, Middlesex, out of business.—*Jas. Cattlin*, High-street, Marylebone, Middlesex, clockmaker.—*Wm. Crane*, Stratford-grove, Stratford, Essex, carpenter.—*Jos. Slater*, New-road, Sloane-street, Chelsea, Middlesex, carpenter.

July 28 *at* 10, *before Mr. Commissioner* PHILLIPS.

Wm. Geo. Pyrke, Great Warner-street, Clerkenwell, Middlesex, brazier.—*Wm. Parry*, Frognall, Middlesex, and High-street, Hampstead, plumber.—*Joel Bowden*, Stafford-street, Old Bond-street, Middlesex, tailor.

July 30 *at* 10, *before Mr. Commissioner* PHILLIPS.

Robert Richard Scanlan, Sydney-street, Brompton-road, Middlesex, artist.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 27 *at* 11, *before Mr. Commissioner* HARRIS.

Fortescue Hitchings, Westbourne-park-road, Bayswater, Middlesex, out of business.—*John Horden*, Bentley-crescent, Ball's Pond-road, Islington, Middlesex, out of employ.—*Thos. Holliday*, Princes-street, Haggerston, Middlesex, general dealer.—*Thomas Greenwood*, St. James's-walk, Clerkenwell, Middlesex, clock manufacturer.—*John Bourke Ricketts*, Norris-street, Haymarket, Middlesex, not in any trade.—*William Maddams*, King-street, Golden-square, Middlesex, cabinet-maker.

Adjourned.

William Hallett the younger, Priddy's-yard, Church-street, Croydon, Surrey, out of business.

July 28 *at* 10, *before Mr. Commissioner* LAW.

Michael Danks, Whitechapel-road, Middlesex, tripe-dresser.—*Thos. Fletcher*, Earl-street, Lisson-grove, St. Marylebone, Middlesex, corn dealer.—*Charles Hawgood*, New Park-street, Southwark, Surrey, baker.

July 30, *before Mr. Commissioner* LAW.

Samuel Arniston Oliver, Oxford-street, Middlesex, hatter.

July 30 *at* 10, *before Mr. Commissioner* PHILLIPS.

William Chappelow the younger, Saunders-street, Lambeth-walk, Surrey, modeller in gutta percha.—*James Henry Paul*, Dudley-street, Seven-dials, Middlesex, printer.

July 30 *at* 11, *before the* CHIEF COMMISSIONER.

Henry Herriott the younger, Westbourne-place, Bishop's-road, Paddington, Middlesex, out of business.—*John Mynn*, Queen-street, Brompton, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at MORPETH, *July* 28 *at* 10.

William Thew, Alnwick, agent to the Farmers' and General Fire and Life Insurance and Loan and Annuity Company.—*Robert Craig*, Allotment, near Backworth, surgeon.

At the County Court of Glamorganshire, at CARDIFF, *July* 28.

Thomas Powell, Cardiff, licensed victualler.

At the County Court of Gloucestershire, at BRISTOL, *July* 30 *at* 11.

Vile Board Perren, Bristol, in no business.

At the County Court of Gloucestershire, at GLOUCESTER, *July* 31 *at* 10.

Stephen Clifford, Chipping Campden, out of business.—*Llewellyn Gilbert Shelland*, Lydney, renter of turnpike-gates.

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LONDON, JULY 21, 1849.

The bill introduced into the House of Commons by the Attorney-General, for the abolition of the Palace Court and the amendment of the Small Debts Act, has already dwindled from fourteen to nine sections. The first five clauses have been for the present abandoned, but with an intimation that they will be re-introduced in a modified form on some future occasion.

This derelict portion of the bill is the most important, as regards the Small Debts Act, and is worthy of some consideration, as shewing the legislative animus upon the subject. After reciting the expediency of extending and rendering more effectual the provisions in the 9 & 10 Vict. c. 95, for depriving plaintiffs of costs, the 1st section repeals sects. 128 and 129 of that act, and in lieu thereof the 2nd section enacts, that, "if in any action in the superior courts of record, in covenant, debt, detinue, or assumpsit, (not being for breach of promise of marriage), the plaintiff shall recover a sum less than 20*l.*; or, in trespass, trover, or case, (not being for malicious prosecution, libel, slander, criminal conversation, or seduction), the plaintiff shall recover a sum less than 5*l.*, he shall have judgment for such sum only, and no costs, except in cases hereinafter provided, and it shall not be necessary to enter any suggestion to deprive him of costs." By the 3rd section, if he recover in any inferior court (other than a county court) less than 10*l.* in such actions ex contractu, or 5*l.* in such actions ex delicto, the same result is to follow. But, in any such action where such less sum is recovered by verdict, a judge or other presiding officer may certify that the cause appears to him to be one which could not be tried in the county court, or that there is sufficient reason for not having brought it therein; and in such cases costs shall be allowed. (Sect. 4). And if in such action, whether there be a verdict or not, the plaintiff make it appear that he comes within the exceptions now existing by sect. 128 of the Small Debts Act, or that the cause was removed by certiorari from the county court, he may obtain an order for his costs. (Sect. 5).

Such are the clauses which have been struck out from the bill. It will be seen that they would have rendered unnecessary the entering of a suggestion by the defendant, thus putting an end to those numerous applications for this purpose which have lately appeared in our reports, and which have been so frequently decided upon the most technical grounds. The onus would, in fact, have been shifted from the defendant to the plaintiff, who would have had to shew that he came within what are now the exceptions in the Small Debts Act. This would have been an advantage, and have carried out the intention of the Legislature in the passing of that statute, which certainly was not to add the costs of a fruitless application to enter a suggestion, to the costs of the action in the superior court, where the case was, in truth, within the clauses making it compulsory to sue in the county court.

Another effect of the 2nd clause of this bill would have been, to bring judgments by default within the operation of the Small Debts Act—an alteration which we advocated in a former article. (See 12 Jur. 361).

The clauses which remain are to the following effect:—

Sects. 6 and 7 provide, that persons committed to prison under the Small Debts Act shall not be committed to houses of correction, but to the common gaol, wherein debtors may be confined.

Sect. 8 declares, that in distresses under sect. 107 of

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the 9 & 10 Vict. c. 95, rent due is to have priority over other payments.

Sect. 9 gives power to the Secretary of State, with the consent of the Treasury, to alter fees payable on proceedings in the county courts.

This is an important clause, and, if followed out in a liberal spirit, will tend to raise the character of, and improve the procedure in, these courts.

Sects. 10 and 11 prohibit the bringing of actions in the Marshalsea and Palace Courts, and the Peveril Court; abolish them on the 31st December next; transfer causes then depending in them to the Common Pleas or County Court, as the case may require; place their records under charge of the Master of the Rolls; and provide that compensation shall be given to the officers of the abolished courts.

An amendment was proposed during the debate on this bill, for the purpose of extending the jurisdiction of the county courts to debts under the sum of 50*l.*, but, on a division, it was negatived by a majority of twenty-eight out of ninety-six votes. The Attorney-General stated that he was averse to such an extension of the jurisdiction, without providing means for reviewing and rendering uniform the decisions of the judges. It is a question deserving of serious consideration, whether the jurisdiction of the superior courts of this country should be created to a greater extent than it is at present, or whether we should not rather attempt to render such jurisdiction more available and advantageous to those who have to seek their protection. The machinery of our superior courts for the administration of justice is complete and admirable in itself, and may, by timely and proper reforms, be made to work more expeditiously and less expensively than has hitherto been the case.

It cannot, we think, be denied, that some alterations might be made which would tend to the advantage of suitors and to the promotion of justice. Among the chief of them we should rank the encouragement of a more liberal and comprehensive view of the merits of a case, and a decision in accordance therewith, rather than with its technicalities; and among minor improvements may be mentioned, a greater strictness in granting new trials, a reduction in court fees where the sum claimed does not exceed 50*l.*, the abolition of special demurrers or permission to amend on payment of a few shillings, together with other changes, having for their object the prevention of unnecessary expense and delay.

Review.

On Copyright in Design in Art and Manufactures. By T. Turner, of the Middle Temple. *Small 8vo., pp.* 122. [*Elsworth.*]

This is the first treatise of any merit on a subject of great importance to the manufacturing industry of this country, and furnishing ample scope for refined commentary. The neglect which a topic apparently so attractive to pens of a superior order has suffered is probably owing to the known incompetency of the tribunals to which questions arising on the law of copyright in designs are most frequently submitted. Distinctions as metaphysical and abstruse as any that occur in the law cannot be offered with much confidence to the consideration of two average justices of the peace, and such functionaries are naturally averse to be troubled with discussions for which they are so little qualified by education or habit. Accordingly, in one of the cases "the aldermen thought the case not proved, but, being 'asked in what respect, they 'declined going further 'into the question.' Another case was said by Mr 'Jardine to be much too important to be disposed of in 'such a summary way, and quite foreign to the genera 'business of police courts. The aldermen are often 'found spending several hours over a design case, and 'sometimes disagreeing." (Turner, p. 42). In another case mentioned by Mr. Turner, where one alderman had objected to the waste of time on so trivial a subject, his colleague replied, that in his ward there were many such rejections, and that they were highly profitable. Mr. Turner makes a valuable suggestion on this head:—

"The subject is, perhaps, somewhat more suitable t 'the county courts, and if equitable functions be here 'after extended to them, they may be an economi 'substitute for the Court of Chancery. The Frenc 'possess a highly efficient machine in the 'conseil d 'prudhommes,' composed of masters and workmen 'and having jurisdiction in all matters of a trading o 'commercial nature; its jurisdiction in piracy of trade 'marks, for instance, is obviously advantageous. Th 'promptitude, economy, and accessibility of this tri 'bunal was admitted by the committee on the arts, (i 'the year 1835, out of 3835 cases there were only 35 'appeals); and, if it were too extensive a novelty to b 'transplanted here, some body of a similar constitutio 'might advantageously assist the regular court, whe 'ther superior or inferior, acting as a kind of assesso 'like the Trinity-masters in points of technical navi 'gation; or matters of detail might be referred to them 'as accounts to a Master in Chancery. As an instanc 'of the difficulty of the discussion of technical matter 'by laymen, it is mentioned that Lord Lyndhurst, the 'Mr. Copley, spent ten days in making himself familia 'with the details of lace manufacture, previously to 'patent case on that subject." (p. 42).

Mr. Turner divides his subject into four sections.

I. The nature and value of design copyright.

II. Historical and statistical notices of the subject.

III. Principles of the legal right as now administered, and those on which it should be extended. 1. The nature of the right. 2. The formalities constituting it. 3. Its enjoyment. 4. Its violation, and remedies. 5. Its expiration, the term for which it is granted. 6. Its collision with patent right.

IV. Practical points. 1. The right before publication. 2. Advantages and mode of claiming legal right. 3. Exercise of it, and transfer. 4. Breaches of the right, and remedies.

In the 1st section, after giving some general illustrations of the value of form, Mr. Turner enters into some considerations relative to individuality in useful and ornamental design, which, we think, have been conceived and expressed with peculiar felicity. We regret that we cannot extract the whole of the section:—

"Now, as in every object of human production some 'particular means are employed, and for some parti 'cular purpose, and each means and each purpose re 'quire the restriction of the shape employed within 'certain limits, we arrive at individual and isolated 'forms capable of variation within certain limits, and 'impracticable beyond them. Thus, in a decanter, the 'centre of gravity must be kept low, and the base 'wide, to give stability; a certain height is indispen 'sable to its appearance. The grasp of the hand, 'and the facility of pouring out, and filling, cleaning, 'and stopping, regulate the neck; and the design, be 'sides fulfilling these conditions, must be practicable in

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'a material which receives its first shape by blowing 'into a mould, and its surface from the grinder; and 'the number of ornamental shapes that combine all 'these requisites is very limited, and if any change, 'however trifling, be made in the limitations, the whole 'design must be completely re-cast. Suppose it is to 'hold water, and the stopper dispensed with, the har- 'mony of proportion and linear combination is gone. 'Change the material for earthenware, and the effects 'of refracted light and prismatic colour, which made 'angular forms beautiful, are lost, and other forms of 'ornament must supply their place. As the zoologist 'identifies a species by a single bone, so every portion 'of a perfect work of art requires a special adaptation, 'and each type or model of a design forms a distinct 'species; and not only must all the conditions be pro- 'vided for, but new and unforeseen contingencies may 'prove fatal; as when Davy's protection for copper- 'sheathing failed, only because it did not deter the ac- 'cumulation of sea-weed and barnacles. Among the 'conditions are a certain state of allied arts of produc- 'tion. The art of print-engraving requires an art of 'printing; this only follows an ample supply of paper, 'and this is ultimately obtained from the loom; and 'thus every age has its own novelties and inventions, 'which before were useless, if not impossible. From a 'good design any deviation is an injury, and the amount 'of injury increases in rapid ratio. A printed flower- 'pattern for a calico dress is too small for a furniture; 'if enlarged, the scale will be unnatural. In a warmer 'fabric, it will not suit the season; in a costlier one, 'it has to meet the taste of another class of buyers. 'It cannot be woven with sufficient precision of out- 'line, and still less is it fit for modelling into solid 'form; and individuality in ornament is also required 'by the demand for novelty, of all the sources of 'beauty the most indispensable. The design, like the 'animal, has a period of existence; its successor must 'exhibit a clear and distinct difference of character. 'As, however, innumerable patterns may exist in a sin- 'gle style of ornament or a single branch of art, so the 'duration of the latter includes many generations of 'individuals, and by these the perfect development of 'the style is gradually obtained. When a mode of 'combining the colours of the calico-printer is intro- 'duced, a certain number of years may elapse before 'the designer thoroughly understands the capabilities 'of the new material. He discovers this by a course 'of experiments on individual designs. Of course, very 'valuable combinations, at once simple and striking, 'are rare, as in all the arts and sciences. In calico- 'printing, it is said that there have been four styles 'distinguished by their success—the rainbow, the dio- 'rama, the wave, and the net. (Specimens of them 'are given in Mr. Tennent's work). The diorama, a 'simple arrangement of shades, sold to the amount of '25,000 pieces in one day. This principle of the unity 'of design must not be pushed to an extreme; we do 'not require a distinct pattern for every individual 'gown in the kingdom, though no two wearers of 'gowns be exactly similar in person; but, as regards 'the adaptation to the kind of article, it will cer- 'tainly be more and more appreciated as a rule of 'taste. A fashionable architect of the present day 'would hardly, like Gibbs, design a lady's dress with 'portions of the five orders, Doric, Tuscan, &c., though, 'in our own time, it is said that a calico for a dress 'was decorated with a marble pattern, an idea which 'the narrator proposed to carry out by trimming it 'with ammonites and saurians.

"All considerations of correctness, however, yield to 'that of novelty; with this to recommend it, a poor 'design will sell; without it, the best design has no 'market value. If a fashion be widely diffused, the 'more rapidly will it become tiresome by repetition, and 'then the pride of wealth comes in aid of taste to pro- 'nounce it mean and parsimonious. Some nations, as 'the oriental races, are less capricious, and the poorer 'classes are checked by motives of economy; but where 'mechanical means supply variety in cheapness and 'abundance, the love of variety quickly rises up to the 'same point. The shippers of printed goods to foreign 'markets do not send a pattern twice to the same 'place. The fashion will, of course, take a certain time 'to travel round the globe; what is unsaleable in Eng- 'land may be in time for the Indian market. Of course 'the duration of anything of a fixed nature is more 'durable than a moveable. We cannot change our 'rooms as frequently as our dresses. Not only are the 'former more costly, but, being less seen by others in 'different places, they are longer in becoming vulga- 'rised. Thus, a 'garment' calico lasts a season; a fur- 'niture pattern three or four years, or much longer." (Pp. 2—5).

In the course of the 3rd section Mr. Turner takes occasion to expose the anomalies of our present system, and makes the following suggestion for amendment:—

"The French were our examples in establishing any 'design rights at all; it would be well if we adopted 'their simple sensible arrangements for securing it. 'All kinds of design there are treated alike—all pay 'one price, and that price is not an arbitrary sum, but 'an annual tax. Two grounds only would justify our 'unequal taxation—variation in the value of the com- 'modity (protection) sold, or variation in the cost of 'affording it. Now, as to the value of protection, how 'is that to be estimated? One pattern brings in hun- 'dreds, another is a dead loss; one is designed by a 'royal academician, another by an apprentice. A pat- 'tern in metal may sell to scores of purchasers, and an 'equally meritorious design in glass to thousands. Why 'should the first pay thrice what the second does? Ob- 'jections of this kind will at once occur to those con- 'versant with the various branches of art. Why not 'one uniform charge, and that one charge a minimum?" (P. 35).

Mr. Turner discusses the important question of conflict between patents for articles of utility, and registered designs, at some length, and with great ability, but he does not seem to have arrived at, or at least does not propound, any very definite conclusion. Probably the question, as it depends upon a distinction created by an act of Parliament, framed certainly upon no scientific principle, is incapable of a satisfactory solution. Mr. Turner opposes the construction put upon the act by the patent agents, who, he says, are not very anxious to narrow the range of "principles of invention," or to extend that of inventions of forms and shapes; and he observes that an article in THE JURIST dwells on the necessity for guarding against confounding registration with patent law. If we are not mistaken, he is here referring to an article, not on the act for the registration of designs for articles of utility, but on the act (5 & 6 Vict. c. 100) relating to designs for ornamenting articles of utility. (6 Jur., part 2, p. 341). But in a much later article (11 Jur., part 2, p. 276) he will find some observations on the stat. 6 & 7 Vict. c. 65, leading to the conclusion, "that a colourable variation of a registered design for an article of utility, producing the useful effect by a configuration, not exactly but, substantially the same as that registered, would be a piracy, and every variation from the pattern actually registered, *in a particular immaterial to the useful effect*, would be deemed a colourable variation;" and "that the benefit of a mechanical invention may be secured by registration, wherever the essence of the invention is the form of the whole or of a part or parts of a thing, or the form and formal arrangement of a thing consisting of several moveable parts; and that such inventions as those of a chisel, a saw, a lathe, a lifting-pump, the

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dead-beat, recoil, and cylinder escapements of clocks and watches, &c., might, if they had been made after the passing of the act, have been protected under its provisions."

In the course of this discussion Mr. Turner thus notices a very serious inconvenience that sometimes arises out of the present system of conferring, by letters-patent, a present title to something to be hereafter specified by the patentee, subject only to the condition of falling within a general title of the vaguest description:—

"There is one tract of debateable land on which some 'contention has actually taken place, and which has 'attracted a considerable notice as a glaring anomaly; 'it arises out of the entire absence of harmony in the 'modes of creating patent and registration rights. The 'latter is very simple; the right commences simulta-'neously with the publication; but a patentee first ob-'tains his patent, and six months afterwards publishes a 'complete account of it. Now, during these six months, 'there is nothing (conscience apart) to prevent his 'seizing on any other invention which comes to his 'knowledge, and putting it into his specification, pro-'vided only that it come within the range of a vague 'title, such as "improvements in steam-engines;" and 'in at least two instances the patent has actually co-'vered an idea registered as new, after the period when 'the *consequence* of publication commenced, but before 'the actual fact. One was *Butt* v. *The Electric Tele-'graph Company*. This was not a case of fraud; there 'was said to be no imputation. The interest of the 'subject had attracted the attention and labour of dif-'ferent persons; and two individuals had, in perfect 'integrity, invented similar constructions; the plaintiff 'had obtained his patent for a percolating battery; im-'mediately after, a party in connexion with the de-'fendants, ignorant of this, (the specification being still 'to come), registered his battery, and the injunction 'obtained against him shewed that his registration was 'quite worthless. One might almost expect to hear of 'the inventor prosecuting Government for obtaining 'money under false pretences." (p. 56).

All the reported cases, including those in the inferior courts, appear to have been collected in the work, which contains all the forms, official directions, and other practical information. The only fault we have found in it is an occasional excess of terseness, which somewhat prevents the meaning from being so readily apprehended as it might be if it were more liberally fledged.

G. S.

London Gazettes.

TUESDAY, July 17.

BANKRUPTS.

JAMES WARDEN GOWING, East Dereham, Norfolk, stationer, dealer and chapman, July 24 at 1, and Aug. 30 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Drake, East Dereham; Strutton, 18, Southampton-buildings, Chancery-lane.—Fiat dated July 13.

THOMAS GOODWIN, Pakenham, Suffolk, brewer and flour seller, July 28 at half-past 1, and Sept. 1 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sols. Brooke, Bury St. Edmund's; Hall, Brunswick-row.—Fiat dated July 13.

JAMES DAVIS, formerly of Stalbridge, Dorsetshire, chemist and druggist, oatmeal manufacturer, dealer and chapman, and now of Bisterne-close, near Ringwood, Southampton, July 25 at half-past 1, and Aug. 23 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Treherne & White, 11, Barge-yard-chambers.—Fiat dated June 2.

WALTER BRIDGEWATER WILLIAMS, Burr-street, East Smithfield, Middlesex, wine merchant, dealer and chapman, July 26 at half-past 2, and Aug. 28 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Bird, 58, Lincoln's-inn-fields.—Fiat dated July 10.

ROBERT BISHOP, Vere-street, Oxford-street, Middlesex, hotel-keeper, dealer and chapman, July 24 at half-past 1, and Aug. 28 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Sanford, 20, John-street, Adelphi.—Fiat dated July 6.

GEORGE VINER and HENRY VINER, Bristol, brewers, dealers and chapmen, July 31 and Aug. 28 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Whittington & Gribble, Bristol; Surr & Gribble, Lombard-street.—Fiat dated July 28.

JAMES JOHNSON, Sheffield, Yorkshire, razor manufacturer, dealer and chapman, July 28 at 10, and Sept. 1 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Broadbent, Sheffield; Tattershall, Great James's-street, London.—Fiat dated July 10.

ROBERT TAYLERSON, Felling Shore, Durham, iron manufacturer, (trading under the style or firm of Robert Taylerson & Co.), July 23 and Aug. 21 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sol. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane, London.—Fiat dated July 7.

MEETINGS.

James Brown, Cold-harbour-lane, East Brixton, Surrey, builder, July 27 at 11, Court of Bankruptcy, London, pr. d.—*Martin Nunn*, Regent's-circus, Oxford-street, Middlesex, child-bed-linen warehouseman, July 28 at half-past 11, Court of Bankruptcy, London, last ex.—*Jos. Cadman*, Pontypool, Monmouthshire, wine dealer, Aug. 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Richard Evans*, the Cross, Carmarthen, stationer, Aug. 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Abraham James Crowther*, Church Garforth, Yorkshire, draper, Aug. 7 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*Geo. Hawkins*, Bristol, mason, Aug. 7 at 11, District Court of Bankruptcy, Bristol, div.—*Richard Hawkins*, Standish, Gloucestershire, cheese dealer, Aug. 7 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thos. Walker, Abingdon, Berkshire, apothecary, Aug. 9 at 12, Court of Bankruptcy, London.—*Robt. Scriven*, Glastonbury, Somersetshire, tallow chandler, Aug. 7 at 11, District Court of Bankruptcy, Bristol.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 7.

Geo. Sharp and *Robert L. Fluder*, Romsey, Southampton, timber merchants.—*Philipp S. C. Iäklé*, Upper North-place, Gray's-inn-road, Middlesex, tailor.—*Charles Beasley*, Bristol, mercer.—*Walter Palmer*, Rugeley, and Etching-hill, near Rugeley, Staffordshire, corn merchant.—*Christopher Hughes*, Manchester, fustian manufacturer.—*Wm. James Townshend*, Wellclose-sq., Middlesex, cork manufacturer.—*James Pugh*, Monmouth, tailor.—*Wm. Burt*, Ryde and Ventnor, Isle of Wight, Southampton, bookseller.—*Stephen Wise*, Conduit-street South, Paddington, Middlesex, plumber.—*W. Bignell*, Codicote, near Wellwyn, Hertfordshire, tailor.—*Chas. Jepson*, New Malton, Yorkshire, innkeeper.—*Christopher Hall*, Liverpool, corn factor.—*Edwin Burt*, Bristol, shoe manufacturer.—*George Rippon*, Regent's-canal-basin, Middlesex, lime burner.—*Jas. Pierce*, Chorley, Lancashire, corn dealer.

FIAT ANNULLED.

Eusebius Langley, Hednesford, Cannock, Staffordshire, innkeeper.

SCOTCH SEQUESTRATION.

Thomas Godwin, Perth, coachman.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Minter, Eyke, Suffolk, carpenter, July 26 at 1, County Court of Suffolk, at Woodbridge.—*James Westbrook*, Abingdon, Berkshire, hawker, Aug. 21 at half-past 10, County Court of Berkshire, at Abingdon.—*John Yates*, West Leigh, Lancashire, licensed victualler, Aug. 4 at 11, County Court of Lancashire, at Leigh.—*Ann Bushell*, All Saints, Worcester, licensed victualler, Aug. 1 at 10, County Court of

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Worcestershire, at Worcester.—*Sarah Cock*, Winkleigh, Devonshire, grocer, Aug. 10 at 10, County Court of Devonshire, at Torrington.—*William Grundy*, Broughton, Manchester, salesman, July 27 at 1, County Court of Lancashire, at Manchester.—*Dennis Metheringham*, Manchester, baker, July 27 at 1, County Court of Lancashire, at Manchester.—*William Marshall*, Hulme, Manchester, warehouseman, July 27 at 1, County Court of Lancashire, at Manchester.—*Wm. Roberts*, Glossop, Derbyshire, out of business, July 25 at 10, County Court of Derbyshire, at Glossop.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 31 *at* 11, *before Mr. Commissioner* HARRIS.

Henry James Pettit, Wharf-road, Paddington, Middlesex, omnibus conductor.—*Wm. Bailey*, Church-st., Blackfriars-road, Surrey, carpenter.—*Thomas Gregory*, Edmond-street, King's-cross, Middlesex, baker.

July 31 *at* 10, *before Mr. Commissioner* LAW.

Richard Friend Hobbs, Mott's-lane, Ball's-pond, Middlesex, smith.

Aug. 1 *at* 11, *before the* CHIEF COMMISSIONER.

Joseph Thomas Hand, Durham-road, St. Mary, Islington, Middlesex, clerk in a merchant's office.—*Henry Mardon*, Henry-street, Doughty-street, King's-road, Middlesex, carpenter.

Aug. 2 *at* 11, *before the* CHIEF COMMISSIONER.

James Dawson, York-street, Westminster, Middlesex, cabmaker.

Aug. 2 *at* 10, *before Mr. Commissioner* PHILLIPS.

Louis Feron, Hertford-place, Haggerstone, Middlesex, French confectioner.

Saturday, July 14.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Boswell, Farthinghoe, Northamptonshire, in no business, No. 70,806 C.; Wm. Turner and Wm. White, assignees.—*Charles Mills*, Seymour-st., Euston-square, Middlesex, licensed victualler, No. 60,796 T.; John Turley, assignee.—*Thomas Humphries*, Corridor, Bath, Somersetshire, shoemaker, No. 70,438 C.; Henry Bates, assignee.—*W. Asbury*, Wotton, Breconshire, publican, No. 70,744 C.; George Cansick, assignee.

Saturday, July 14.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Arthur Cecil Fleming Crowe, Devonshire-st., Queen-sq., Middlesex, in no trade: in the Queen's Prison.—*Thomas Coute*, Swinton-st., Gray's-inn-road, Middlesex, warehouseman: in the Debtors Prison for London and Middlesex.—*Jobez Aston*, High-st., Hoxton Old-town, Middlesex, dealer in coal and wood: in the Debtors Prison for London and Middlesex.—*Edward Wallis*, Patriot-row, Cambridge-heath-road, Middlesex, leather seller: in the Queen's Prison.—*Wm. Bunting Boatman*, Great Dover-street, Newington, Surrey, tailor: in the Gaol of Horsemonger-lane.—*Thos W. Angell*, Charlotte-st., Fitzroy-square, Middlesex, clerk in the General Post-office: in the Queen's Prison.—*Thomas Hitchcock*, Kenton, near Harrow, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Taperell*, Leonard-st., Vauxhall-bridge-road, Pimlico, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Edward Richards*, Union-place, New Kent-road, Surrey, out of business: in the Gaol of Horsemonger-lane.—*Francis George Shaw Skipp*, Norton-street, Portland-place, Marylebone, Middlesex, in no business: in the Queen's Prison.—*Joseph Augustus Levien*, New Ormond-street, Queen-square, Middlesex, attorney's clerk: in the Queen's Prison.—*William Ball*, Mill-lane, Tooley-st., Southwark, Surrey, tailor: in the Debtors Prison for London and Middlesex.—*Clement Robt. Mowbray*, Essex-place, Grange-road, Dalston, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*John Beard Carruthers*, Grote's-place, Blackheath, Kent, land agent: in the Queen's Prison.—*Thomas Bodger*, Hatton-garden, Holborn, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Wm. John Wake*, Printer's-place, Church-row, Bermondsey, Surrey, builder: in the Gaol of Horsemonger-lane.—*Edw. Scott*, Frederick-place, Mile-end-road, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*William Ballard*, Broadwas, Worcestershire, carpenter: in the Gaol of Worcester.—*Thos. Garforth*, Birstal, near Leeds, Yorkshire, out of business: in the Gaol of York.—*John Haigh*, Delph, Saddleworth, Yorkshire, bookkeeper: in the Gaol of York.—*John Bean*, York, shoemaker: in the Gaol of York.—*Thomas Powell*, Cardiff, Glamorganshire, licensed victualler: in the Gaol of Cardiff.—*Jos. Scaplehorn*, Cambridge, publican: in the Gaol of Cambridge.—*Wm. Hanson*, Birmingham, optician: in the Gaol of Coventry.—*J. Naylor*, Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*John Hall*, Manchester, baker: in the Gaol of Lancaster.—*Lawrence Monk*, Preston, Lancashire, out of business: in the Gaol of Lancaster.—*Thomas Cambridge*, Three Cranes, St. Sampson's-square, York, out of business: in the Gaol of York.—*Charles Raven*, Norwich, accountant; in the Gaol of Norwich.—*Wm. L. Thomas*, Langham, Norfolk, gentleman: in the Gaol of Norwich.—*Preston Pamment*, Burwell, Cambridgeshire, bricklayer: in the Gaol of Cambridge.—*Saml. Moore*, Cambridge, publican: in the Gaol of Cambridge.—*John Sykes Kay*, York, commercial traveller: in the Gaol of York Castle.—*William Inglis*, Liverpool, merchant: in the Gaolo Lancaster.—*John Hoskins*, St. Austell, Cornwall, ironmonger: in the Gaol of Bodmin.—*Wm. Hall*, Pilsworth, near Bury, Lancashire, out of employment: in the Gaol of Lancaster.—*Thomas Birkett*, Chorlton-upon-Medlock, Manchester, out of business: in the Gaol of Lancaster.—*Mark Day*, Manchester, shoemaker: in the Gaol of Lancaster.—*James Butterworth*, Middleton, near Bury, Lancashire, farm labourer: in the Gaol of Lancaster.—*Rich. Ashworth*, Radcliffe, Lancashire, dyer: in the Gaol of Lancaster.—*James Bailey*, Hulme, Manchester, greengrocer: in the Gaol of Lancaster.—*Jesse Joy*, Bearstead, near Maidstone, Kent, saddler: in the Gaol of Maidstone.—*James Smethurst*, Hulme, Manchester, out of business; in the Gaol of Lancaster.—*Thomas Stoker*, York, butcher: in the Gaol of York.—*Wm. John Toomer*, Chatham, Kent, out of business: in the Gaol of Maidstone.—*Robt. Ogden*, Radcliffe, Lancashire, dyer: in the Gaol of Lancaster.—*John Marlow*, Regent-street, Lambeth, Surrey, baker: in the Gaol of Horsemonger-lane.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 31 *at* 10, *before Mr. Commissioner* PHILLIPS.

John A. Baigant, Windlesham, near Bagshot, Surrey, farm labourer.—*H. Shaw*, Southampton-place, New-road, Middlesex, out of business.

Aug. 2 *at* 10, *before Mr. Commissioner* PHILLIPS.

John Luke Percey the younger, Berwick-street, Soho, Middlesex, builder.—*John Henry Lyons*, Colford-road, Downham-road, Kingsland-road, Middlesex, dealer in millinery on commission.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, *July* 31 *at* 10.

John Sier, Cheltenham, out of business.

At the County Court of Worcestershire, at WORCESTER, *Aug.* 1 *at* 10.

Wm. Ballard, Broadwas, carpenter.

At the County Court of Yorkshire, at SHEFFIELD, *Aug.* 1 *at* 10.

Joshua Purdy, Sheffield, out of business.

At the County Court of Staffordshire, at STAFFORD, *July* 28 *at* 10.

E. T. Fernie, Brewood, tailor.

At the County Court of Glamorganshire, at CARDIFF, *July* 28.

John Thomas, Abergwawr, engineer.—*John Owen*, Pont-

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morlais, Merthyr Tydvil, publican.—*John Davies*, Swansea, painter.—*John Williams*, Caedraw, grocer.

INSOLVENT DEBTORS' DIVIDENDS.

James Meadows, Charlotte-terrace, Lower Marsh, Lambeth, Surrey, cheesemonger: 1*s.* 3½*d.* in the pound.—*James Myers*, Fleet-street, London, tailor: 7½*d.* in the pound.—*W. Groome*, Fleet-street, London, tailor: 10*d.* in the pound.—*Louis Louchet*, Jermyn-street, St. James's, Middlesex, bootmaker: 1*s.* 1*d.* in the pound.—*Daniel Besley*, Abingdon, Berkshire, coach builder: 6¾*d.* in the pound.—*Hugh Tod*, New Norfolk-street, Lower-road, Islington, Middlesex, out of business: 20*s.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

FRIDAY, JULY 20.

BANKRUPTS.

MARTIN LUTHER PRITCHARD and ROBERT NORRIS DALE, Liverpool, stock and share brokers, dealers and chapmen, (trading under the firm of Pritchard & Dale), July 27 and Aug. 24 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Scott & Tabourdin, 25, Lincoln's-inn-fields, London.—Fiat dated May 25.

GEORGE FREDERICK BENNETT, Quadrant, Regent-street, Middlesex, goldsmith and jeweller, July 27 at half-past 1, and Aug. 31 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Sadgrove, 52, Mark-lane.—Fiat dated July 17.

WILLIAM WOOD, Milton, next Sittingbourne, Kent, grocer and tea dealer, July 27 and Aug. 31 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Sadgrove, 52, Mark-lane.—Fiat dated July 18.

WILLIAM THOMAS FAREY, West Smithfield, London, licensed victualler and slaughterman, dealer and chapman, July 28 at 11, and Sept. 1 at 1, Court of Bankruptcy, London: Off. Ass. Green; Sol. Smith, Barnard's-inn.—Fiat dated July 18.

GEORGE BROOKS PETTIT, Brook-street, New-road, St. Pancras, and Upper St. Martin's-lane, Middlesex, ironmonger, dealer and chapman, July 28 at 2, and Sept. 1 at half-past 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Wilkin, Furnival's-inn.—Fiat dated July 17.

JOHN MORGAN, Copthall-court, London, stock and share broker, dealer and chapman, July 26 at 2, and Sept. 1 at 12, Court of Bankruptcy, London: Off. Ass. Green; Sol. Pike, 26, Bedford-row.—Fiat dated July 16.

EDMUND WOODRUFFE, Old Broad-street, London, ship and insurance broker, dealer and chapman, July 30 and Sept. 1 at half-past 12, Court of Bankruptcy, London: Off. Ass. Green; Sol. Llewellyn, Noble-street, Cheapside.—Fiat dated July 16.

CAMPBELL WRIGHT HOBSON, late of Raymond-buildings, Gray's-inn, and of Gordon-place, Middlesex, money scrivener and distiller, dealer and chapman, Aug. 1 and Sept. 4 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sawyer & Brettell, 2, Staple-inn, Holborn.—Fiat dated July 9.

GEORGE GATRELL, Chichester, Sussex, carrier, dealer and chapman, July 31 at 12, and Aug. 28 at half-past 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sherwood, Chichester, Sussex; Staniland & Long, 30, Bouverie-street, Fleet-street.—Fiat dated July 16.

SAMUEL WARDEN, Birmingham, hosier, dealer and chapman, July 31 and Aug. 21 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Bartleet, Birmingham; Holme & Co., New-inn, London.—Fiat dated July 16.

JOHN JONES, Tanyrallt, Llanddulas, Denbighshire, quarryman, dealer in powder and iron, general dealer and chapman, Aug. 1 and 30 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Francis & Almond, Liverpool; Bridger & Collins, London.—Fiat dated July 12.

JOSEPH CLEMENTSON, Whitehaven, Cumberland, tobacconist, dealer and chapman, Aug. 3 at half-past 10, and Aug. 30 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. T. & W. Chater, Newcastle-upon-Tyne, agents for Atkinson & Son, Whitehaven; Willis, Bucklersbury.—Fiat dated July 7.

FILMER KEEN, Warwick, innkeeper, dealer and chapman, July 28 and Aug. 30 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Forder, Leamington.—Fiat dated July 16.

CHARLES HENRY LAMBERT, Kingston-upon-Hull, druggist, dealer and chapman, Aug. 8 and 22 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Lovett & Co., Hull; Hawkins & Co., New Boswell-court, London.—Fiat dated July 16.

MEETINGS.

George Pearson Hutchison, Crawford-street, Marylebone, Middlesex, grocer, July 30 at half-past 1, Court of Bankruptcy, London, last ex.—*Wm. Couchman*, Farringdon-street, London, draper, Aug. 10 at 12, Court of Bankruptcy, London, aud. ac.—*Edward Weston Lemm*, Princes-street, Hanover-square, Middlesex, military outfitter, Aug. 14 at 1, Court of Bankruptcy, London, aud. ac.—*Samuel North*, Spilsby, Lincolnshire, innkeeper, Aug. 15 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*John Willis*, Liverpool, merchant, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Boydell Golborne* and *Arthur Acheson Dobbs*, Liverpool, merchants, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Bangley Prichard* and *James Robins Croft*, Liverpool, oil merchants, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Benbow*, Liverpool, timber merchant, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Blayds Molyneux* and *Percival Witherby*, Liverpool, merchants, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*James Wilson Jeffryes* and *John Meek*, Liverpool, merchants, Aug. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *John Meek*; Aug. 14 at 11, div.—*I. P. Cartwright*, Nantwich, Cheshire, chemist, Aug. 14 at 12, District Court of Bankruptcy, Liverpool, aud. ac.; Aug. 17 at 12, div.—*Edward Burnell* the younger, Hanham, Bitton, Gloucestershire, cattle dealer, Aug. 24 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Henry Cogwell*, Wotton-under-Edge, Gloucestershire, paper maker, Aug. 17 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thos. Hollyman*, Clevedon, Somersetshire, butcher, Aug. 24 at 11, District Court of Bankruptcy, Bristol, and. ac.—*James B. Sangar*, Bristol, cabinet maker, Aug. 17 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Aug. 21 at 11, div.—*Cuthbert Rippon*, Stanhope, Durham, lime burner, Aug. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Joshua Sim*, Cockermouth, *Joseph Sim*, Braithwaite, and *Dan. Sim*, Braithwaite, Cumberland, woollen manufacturers, Aug. 14 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Aug. 16 at 1, div.—*John Bishop*, Worcester, carpenter, Aug. 11 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*John Thomas Flynn*, Birmingham, grocer, Aug. 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*W. Wilkinson*, Birmingham, grocer, Aug. 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Matthew Roe*, Coventry, Warwickshire, draper, Aug. 11 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Wm. B. Hankins*, Lugwardine, Herefordshire, cattle dealer, Aug. 11 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*George Sharp* and *Robt. L. Flinder*, Romsey, Southampton, timber merchants, Aug. 10 at 11, Court of Bankruptcy, London, div.—*Isaac Terry*, Haymarket, Middlesex, watch manufacturer, Aug. 10 at half-past 11, Court of Bankruptcy, London, div.—*P. Whitmore* the younger, Walham-green, Fulham, Middlesex, brewer, Aug. 13 at 1, Court of Bankruptcy, London, div.—*Thos. H. May*, Little Britain, London, baker, Aug. 13 at 12, Court of Bankruptcy, London, div.—*J. Southern*, Liverpool, builder, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Edward Woodgate, Bartlett's-buildings, Holborn, London, electro plate manufacturer, Aug. 10 at 11, Court of Bankruptcy, London.—*George Savage*, Eastdean, Sussex, grocer, Aug. 11 at 11, Court of Bankruptcy, London.—*William Couchman*, Farringdon-st., London, draper, Aug. 10 at 12, Court of Bankruptcy, London.—*Wm. Ridge*, Grosvenor-row, Pimlico, Middlesex, corn dealer, Aug. 11 at 12, Court of Bankruptcy, London.—*Vincent Jenkinson*, Stanhope-street, Park-place, Camden-town, Middlesex, butcher, and *John S.*

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Rollison, Brant Broughton, Lincolnshire, out of business, Aug. 13 at 1, Court of Bankruptcy, London.—*C. Rippon*, Stanhope, Durham, lime burner, Aug. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*S. Miller*, Cumberland, banker, Aug. 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*William Thomas*, Aberdare, Glamorganshire, Aug. 10 at 11, District Court of Bankruptcy, Bristol.—*Seymour Dodd*, Manchester, fustian manufacturer, Aug. 10 at 11, District Court of Bankruptcy, Manchester.—*Wm. Maddox*, Liverpool, tailor, Aug. 13 at 11, District Court of Bankruptcy, Liverpool.—*John Holden*, Liverpool, money scrivener, Aug. 10 at 11, District Court of Bankruptcy, Liverpool.—*Alex. Heron*, Birkenhead, Cheshire, stone mason, Aug. 10 at 11, District Court of Bankruptcy, Liverpool.—*Andrew Peacock*, Liverpool, corn merchant, Aug. 9 at 11, District Court of Bankruptcy, Liverpool.—*Isaac P. Cartwright*, Nantwich, Cheshire, chemist, Aug. 14 at 12, District Court of Bankruptcy, Liverpool.—*Alfred B. East*, Birmingham, scrivener, Aug. 11 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 10.

James Buckland, Sloane-street, Chelsea, laceman.—*George W. M. Reynolds*, Wellington-st. North, Strand, Middlesex, publisher.—*George M'Donell*, Trinity-square, London, wine broker.—*Wm. Smith* the younger, Stockton, Durham, manufacturer of earthenware.—*J. Crossfield*, Warton, Lancashire, linen merchant.—*John Snook*, Ledbury-road, Westbourne-grove, Paddington, Middlesex, builder.

SCOTCH SEQUESTRATIONS.

Adam Cairns, Edinburgh, wine merchant.—*John Dunlop*, Rawyards, near Airdrie, carter.—*John Comrie*, Paisley, log-wood chipper.—*Peter Brown*, Edinburgh, grocer.—*James Glen*, Dalgarven, Kilwinning, Ayrshire, timber merchant.—*Alex. Waddell*, deceased, Burnhead, Whitburn.—*Jas. Miller*, Pennycuick, wood merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Forster, Brandon, Suffolk, blacksmith, July 31 at 1, County Court of Norfolk, at Thetford.—*W. F. H. Francis*, Topsham, Devonshire, carpenter, Aug. 4 at 10, County Court of Devonshire, at Exeter.—*Nathan Matthews*, Birmingham, butcher, July 30 at 2, County Court of Warwickshire, at Birmingham.—*Aaron Payton* the younger, Birmingham, licensed victualler, July 30 at 2, County Court of Warwickshire, at Birmingham.—*Jabez Lacey*, Redbourn, near St. Alban's, Hertfordshire, chair turner, July 25 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*William Williams*, Swansea, Glamorganshire, licensed victualler, July 24 at 10, County Court of Glamorganshire, at Swansea.—*J. Williams*, Sketty, near Swansea, Glamorganshire, retailer of beer, July 24 at 10, County Court of Glamorganshire, at Swansea.—*J. Farrer*, Chester, clerk at the railway station, Aug. 1 at 10, County Court of Cheshire, at Chester.—*Patrick Burns*, Toxteth-park, near Liverpool, painter, July 23 at 10, Liverpool District County Court, at Liverpool.—*Isabella Watkinson*, Liverpool, widow, July 23 at 10, Liverpool District County Court, at Liverpool.—*Richard Dodge*, Liverpool, licensed victualler, July 23 at 10, Liverpool District County Court, at Liverpool.—*Richard Downs*, Newcastle-under-Lyme, Staffordshire, plumber, July 23 at 10, County Court of Staffordshire, at Newcastle-under-Lyme.—*Robert Collett*, Northleach, Gloucestershire, shoemaker, Sept. 14 at 11, County Court of Gloucestershire, at Northleach.—*Thomas Hasland*, Sheffield, Yorkshire, table-blade forger, Aug. 1 at 10, County Court of Yorkshire, at Sheffield.—*Robert Rawling*, East Dereham, Norfolk, farmer, Aug. 7 at 9, County Court of Norfolk, at East Dereham.—*T. Munn* the younger, Brighton, Sussex, plumber, Aug. 3 at 1, County Court of Sussex, at Brighton.—*John Thomas*, Llanbeblig, Carnarvonshire, blacksmith, Aug. 20 at 1, County Court of Carnarvonshire, at Carnarvon.—*Wm. R. Buckley*, Tranmere, Cheshire, corn broker, July 27 at 10, County Court of Cheshire, at Birkenhead.—*M. Davis*, Norwich, jeweller, Aug. 3 at 10, County Court of Norfolk, at Norwich.—*Thomas Thomas*, Penclawdd, Llanrhidian, Glamorganshire, auctioneer, July 24 at 10, County Court of Glamorganshire, at Swansea.—*Robert Malster*, Norwich, cabinet maker, Aug. 3 at 10, County Court of Norfolk, at Norwich.—*James Pratt*, North Walsham, Norfolk, gig maker, Aug. 9 at 1, County Court of Norfolk, at North Walsham.—*Francis Swift*, Stamford, Lincolnshire, chemist, Aug. 6 at 2, County Court of Lincolnshire, at Stamford.—*Thomas East*, Bath, Somersetshire, servant, Aug. 13 at 10, County Court of Devonshire, at Axminster.—*James Silvers*, Dudley, Worcestershire, shoemaker, July 27 at 2, County Court of Worcestershire, at Dudley.—*Joseph Cook*, Dudley, Worcestershire, tailor, July 27 at 2, County Court of Worcestershire, at Dudley.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug. 3 *at* 11, *before Mr. Commissioner* HARRIS.

Herbert Hancock, Gordon-street, City-road, Middlesex, goldbeater.—*Samuel Bone*, Greenwich, Kent, cabinet maker.—*S. Sequerra*, Bury-street, St. Mary-axe, London, in no business.—*Wm. B. Boatman*, Great Dover-street, Dover-road, Newington, Surrey, tailor.—*M. F. Pearson*, Gloucester-street, Queen-square, Bloomsbury, Middlesex, newspaper writer.—*Geo. Harding*, New Gravel-lane, Middlesex, grocer.—*Wm. W. Withers*, Lower George-street, Sloane-square, Chelsea, Middlesex, furniture broker.—*Robt. W. Grainge*, Uxbridge, Middlesex, labourer.—*Edward Scott*, Frederick-place, Mile-end-road, Middlesex, flour dealer.—*H. B. Dunn*, Pembroke-terrace, Kensington, Middlesex, articled clerk to an attorney.—*David Bidmead* the elder, Fenchurch-street, London, general commission agent.

Aug. 4 *at* 11, *before the* CHIEF COMMISSIONER.

Jas. Green, Mary-street, Poplar, Middlesex, lodging-house keeper.—*Charles Throsby*, Upper Belgrave-place, Pimlico, Middlesex, in no profession.—*A. C. F. Crowe*, Devonshire-street, Queen-square, Middlesex, in no trade.—*Samuel Jefferys*, Chiswick, Middlesex, builder.—*Thomas Clutterbuck* the elder, Bedford-square, Middlesex, attorney at law.—*W. S. Walker*, St. James's-street, Piccadilly, Middlesex, pastry cook.—*John Everitt*, Queen-square, Bartholomew-close, London, general commission agent.—*Joseph Trigwell*, Union-place, City-road, Middlesex, out of business.—*William Ball*, Mill-lane, Tooley-street, Southwark, Surrey, tailor.—*Joseph O. Robson*, Steward-street, Union-street, Bishopsgate-st., Middlesex, builder.—*James Peters*, Guildford, shoemaker.

Aug. 4 *at* 10, *before Mr. Commissioner* LAW.

Ferdinand Montagu Watkins, Blackfriars-road, Surrey, teacher of music.—*Geo. Dean Browne*, Crown-st., Finsbury, Middlesex, engraver.—*Charles Gahagan* the younger, Nutford-place, Edgeware-road, Middlesex, coach trimmer.—*Alex. Horace Brandon*, Lyon's-inn, Strand, Middlesex, draughtsman.—*Wm. Oaks*, Devonshire-st., Bishopsgate-st., London, civil engineer.—*Jos. Augustus Levien*, New Ormond-street, Queen-square, Middlesex, attorney's clerk.—*David Robert Eden*, Bedford-cottages, Clapham-rise, Surrey, shipping agent.

Aug. 4 *at* 10, *before Mr. Commissioner* PHILLIPS.

Thos. Smith, Charlotte-st., Blackfriars-road, Surrey, out of business.—*John Atkinson*, Deverill-st., Dover-road, Surrey, commercial traveller.—*Layton Cooke*, Beckford-place, Kennington, Surrey, auctioneer.—*Edward Wallis*, Patriot-row, Cambridge-heath, Middlesex, leather seller.—*Chas. Tyrwhitt*, Brompton-square, Brompton, Middlesex, gentleman.—*Thos. Wm. Angell*, Charlotte-st., Fitzroy-square, Middlesex, clerk in the General Post-office.

Aug. 6 *at* 10, *before Mr. Commissioner* LAW.

Samuel Dicken Corbet Grinsell, Camden-square, Camberwell, Surrey, superintendent of police.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

James Mallalieu, Rochdale, Lancashire, traveller to a cotton waste dealer, No. 71,273; Mary Shepherd, assignee.—*Thos. Armitage Phillips*, Preston, Lancashire, oil dealer, No. 71,281; James Toulmin, assignee.—*Wm. Hughes*, Everton, Liverpool, joiner, No. 71,290; Thomas Palin, assignee.—*Jacob Lowry*, Manchester, out of business, No. 71,244; John Cookson, assignee.

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The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *Aug.* 3 *at* 11.

Thomas Pedder, Preston, retail butter dealer.—*Thomas Seed*, Lancaster, wheelwright.—*Patrick M'Manus*, Fulwood, near Preston, billiard-table owner.—*James Pythian*, Liverpool, wholesale butcher.—*Lawrence Monk*, Preston, out of business. — *Thos. Birkett*, Chorlton-upon-Medlock, Manchester, out of business.—*Jas. Smethurst*, Hulme, Manchester, out of business.—*John Hall*, Manchester, baker.—*James Bailey*, Hulme, Manchester, greengrocer.—*John Coope*, Pendlebury, joiner.—*Jos. Watkinson*, Manchester, licensed victualler.—*Jas. Greenhalgh*, Bridgefield, Oakenrod, near Rochdale, cotton manufacturer.—*Daniel Cronin*, Liverpool, chemist.—*William Inglis*, Liverpool, merchant.—*James Dawes*, Blackburn, grocer.—*W. Hall*, Pilsworth, near Bury, farmer. —*Jas. Wilding*, Preston, out of business.—*Humphrey Dyson*, Manchester, out of business.—*George Barrow*, Ulverstone, blacksmith.—*Matthew Duffin*, Greenacres-moor, near Oldham, cotton waste dealer.—*Richard Farrer*, Lancaster, manager of a cotton mill.—*Wm. John Warrington*, Chorlton-upon-Medlock, Manchester, chemist.—*John Sutcliffe*, Rochdale, out of business.—*Roger Hesketh Barton*, Ulverstone, surgeon.—*Mark Day*, Manchester, shoemaker.—*Richard Ashworth*, Radcliffe, warehouseman.—*Robert Ogden*, Radcliffe, dyer.—*John Bradley*, Ashton-under-Lyne, out of business.—*George Staley*, Hulme, Manchester, out of business.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Aug.* 4 *at* 10.

John Turpin, Totnes, innkeeper.—*Jas. Glanville*, Exton, Woodbury, farmer.

At the County Court of Norfolk, at the Shire Hall at NORWICH CASTLE, *Aug.* 3 *at* 10.

Wm. Lynall Thomas, Langham, gentleman.

At the County Court of Norfolk, at the Guildhall at NORWICH, *Aug.* 3 *at* 10.

Charles Raven, Norwich, wine merchant.

At the County Court of Dorsetshire, at DORCHESTER, *Aug.* 22 *at* 12.

George Taylor, Whitechurch Canonicorum, near Bridport, labourer.

At the County Court of Monmouthshire, at MONMOUTH, *Aug.* 17 *at* 2.

Wm. Morgan, Magor, hoop shaver.—*Henry Harris* the younger, Caerleon, shoemaker.

INSOLVENT DEBTORS' DIVIDEND.

John Porter, Wells, Norfolk, innkeeper, July 31, Chapman's, Wells-next-the-Sea, Norfolk: 2*s.* 6*d.* in the pound.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—William Hartley, of Settle, Yorkshire; Alfred Ricketts Hudson, of Pershore, Worcestershire; Clement Stretton, of Leicester.

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The Jurist

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*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, JULY 28, 1849.

A case of *Sismey* v. *Eli* (13 Jur. 480) has somewhat added to the uncertainty in which the earlier cases have left the question, when a court of equity will interfere for the relief of a person who has executed a deed founded on an illegal consideration. In the case referred to, the bill alleged that the plaintiff had executed an instrument which was, on the face of it, for a good and legal consideration. It then went on to allege, that such instrument "was void at law, by reason of the same having been executed by the plaintiff for an illegal and immoral consideration, he having been induced and drawn in by the defendant to execute the same by the promise and expectation made and held out to him by the defendant, that, if he would execute such indenture, she (the defendant) would live with him as his mistress in unlawful cohabitation; and that such promise and expectation was, in fact, the consideration for the execution by him of the said indenture." It is to be collected from the judgment, that it appeared upon the bill that the transaction had been broken off; that, in fact, the cohabitation had not taken place, though payments had been made under the deed by the plaintiff; and the bill prayed delivery up of the deed, and an injunction to restrain proceedings at law upon it.

To this bill a demurrer was put in, and overruled on the ground, that, though the expectation mentioned in the bill was held out to the plaintiff to induce him to execute the deed, it did not appear that any illegal act had been done in consequence of that expectation; that is to say, it being admitted (as it was admitted by the demurrer) that the plaintiff had executed the deed with the purpose of defeating the policy of the law by contracting for future cohabitation, he would be entitled to some relief against his deed, because the purpose had failed—not on the ground of fraud in the defendant, as against the plaintiff personally, in failing to give the consideration intended as the consideration of the deed, but on the ground that the legal fraud on the policy of the law contemplated by the plaintiff, was not carried into effect. Now, this is certainly consistent with the doctrine of a case referred to in *Curtis* v. *Perry*, (6 Ves. 747), and with the case of *Platamone* v. *Staple*, (Coop. 250); but it is not consistent with the doctrine laid down by Lord Eldon in *Curtis* v. *Perry*, nor with the case of *Brackenbury* v. *Brackenbury*, (2 J. & W. 391), in both of which the Court considered that the *fraudulent purpose* of evading the policy of the law, is sufficient to deprive the party of his right to relief in equity. In the case of *Batty* v. *Chester* (5 Beav. 103) the plaintiff had entered into a deed of covenant for securing to the defendant an annuity—in fact, for future cohabitation, although that did not appear on the face of the deed. The allegation of the bill was, that the defendant did cohabit with the plaintiff for a time, and then left him, and lived with another person; and on that ground it was contended, that, the agreement not being fulfilled by the defendant, the plaintiff was released, and entitled to have the bill delivered up. A demurrer was allowed, on the ground that the plaintiff's claim to be released, because the defendant had ceased to live an immoral life with him, was a claim contaminated with the original immoral purpose. This case does not, we conceive, at all touch the question, whether illegal *purpose* alone is sufficient to deprive a party of his title to relief, or whether the purpose must be carried into effect; because, here, the illegal purpose had been car-

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ried into effect, and the objection to the plaintiff's equity was, that he was driven to found it on the defendant discontinuing to carry into effect the illegal purpose of the contract. There is, however, an expression of opinion of the Court to the effect that the Court has authority to relieve against an instrument which, though legal on the face of it, was, in fact, executed for an illegal or immoral purpose; whence it may be inferred, that the Court considered *illegal acting* to be requisite in order to deprive the party of his title to relief.

On the whole, the later authorities seem to leave the question under consideration, as we at first observed, in even a more uncertain state than it was before; and all that can now be safely asserted or advised is, that when a deed has been entered into for a secret illegal purpose, and such purpose has been carried into effect, it is clear that equity will not relieve; but it is not clear whether it will or will not relieve, where the illegal *purpose* alone is found, and no illegal *acts*.

The following return will be interesting to many of our readers:—

It appears that the gross total number of plaints entered in all the county courts of England and Wales during the year 1848 amounted to 427,611; the total number of causes tried to 259,118; the total number of days on which the courts sat to 8386; the gross total amount of the monies for which plaints were entered to 1,346,802*l.*; the total amount of monies for which judgment was obtained (exclusive of costs) to 752,543*l.*; and the amount of costs to 199,980*l.* The total amount of money paid into court was 86,292*l.*; the total amount of fees received by the officers of the court was 234,274*l.*; and the gross total amount of all the monies received was 854,950*l.* The total number of causes tried with the assistance of a jury amounted to 834, in 446 of which the party requiring the jury obtained a verdict. The amount sued for in these courts since their establishment in March, 1847, to December, 1848, was about 2,700,000*l.*

Now, from this, it appears, that only a little more than half the gross amount sued for has been recovered; that the gross amount of costs has amounted to somewhat more than a fourth (viz. one 3·75th) part of the sum recovered; that the fees to officers have been a little less than a third of the sum recovered; and that only in one case in 2931 has a jury been demanded. These results are somewhat curious, as shewing, first, the large proportion which the costs of litigation bear to its fruits, even in these popular courts; and, secondly, the extreme indifference of the people to jury trial, when they are left to choose whether they will have juries or not.

Glamorganshire Summer Assizes.—These assizes, which were originally appointed to be holden on the 11th July, before Mr. Baron Platt, will commence on the 13th August, at Cardiff, before Mr. Justice Maule and Mr. Baron Platt.

Master in Chancery.—The Lord Chancellor has appointed Thomas Bowes, Gent., of Darlington, Durham, to be a Master Extraordinary in the High Court of Chancery.

Correspondence.

PRIVILEGES OF BUILDING SOCIETIES.

TO THE EDITOR OF "THE JURIST."

Sir,—I have read with considerable satisfaction the remarks of G.S. upon the recent case of *Walker* v. *Giles*, and fully concur with the caution there given against acting too hastily upon its authority*. A very similar case came before me not many years ago, and I advised that the mortgage was liable to the stamp-duty, upon very nearly the same grounds as those stated by G.S., and I do not at present see sufficient reason to change my opinion.

It has, however, often struck me, that a mortgage (so called) to a building society might be exempted from duty, upon the ground that it is *not a mortgage* within the definition applied to that term by the Stamp Act; and if not *strictly* within the definition, must be exempt. The mortgage must be either a security for the payment of any *definite* and *certain* sum of money *advanced* or *lent* at the time, or *previously due* and *owing*, or *forborne* to be *paid;* or it must be for securing the payment of a *sum* hereafter to be *lent*. Now, it appears to me, that a mortgage to a building society does not come within the terms of this category, which, in one shape or another, embodies always the idea of one *advancing* money, and another *securing* its *repayment*. This does not occur in a building society's mortgage, as will appear when the purpose of the security is considered. Building societies are established upon the principle, that their members will, by small monthly payments, realise a given sum at the expiration of a certain time. When a member borrows, he *discounts* his *expectancy;* that is, he receives the *present value* of what he would be entitled to receive after a given number of years, if he continued making his monthly payments during that period: this money, when paid to him, is *his own money*, and therefore not *lent* or *advanced*, and the member is never required to repay it, or give security for its repayment. The security taken from him is for a totally different purpose. The member has anticipated the fruits of a certain number of monthly payments, and, having anticipated the result, the security is taken that such monthly payments (by which the result is arrived at) may be made; it is therefore taken merely for the payment of certain small monthly sums, and for the observance of the rules of a society to which the person giving the security belongs; and I would submit that this security does not come within the definition of "mortgage."

C. G. K.

There is considerable plausibility in our correspondent's argument, and it is supported by the case of *Silver* v. *Barnes*, (8 Scott, 209; 6 Bing. N. C. 198), where a similar transaction among the members of a friendly society was held not to be usurious. It has also been suggested that these securities are not mortgages, (see 26 Law Jeurn., O.S., 387); but a well-founded distrust in the logic of the Courts, as applied to questions of stamp law, would alone be sufficient to prevent the suggestion, in a matter certainly of some nicety,

* We omitted, in our observations on *Walker* v. *Giles*, to suggest an argument drawn from the contents of the Loan Societies Act, (5 & 6 Will. 4, c. 23), and other acts of a like nature, which may be properly referred to as affording an inference with respect to the general intention of the Legislature which passed them, without furnishing any argument the other way on the ground of diversity of expression, because they were drawn by different hands and passed at different times. Now, these acts, in unequivocal terms, incorporate the provisions of the Friendly Societies Acts so far only as they relate to the framing, certifying, inrolling, and altering of the *rules*.

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from being acted upon. In very many transactions of the kind the question is of little consequence, the difference between the ad valorem stamp and the deed stamp being seldom more than 5*s.*, and in some the ad valorem stamp is less than the deed stamp. Possibly the question may be raised in court upon some building society's mortgage-deed bearing a stamp of 1*l.* only.

There are many varieties of building societies, and there are many societies so called, and registered by the not very discriminating gentleman appointed for the purpose, which are not within the Building Societies Act; but, for our present purpose, it will be sufficient to consider the simplest form which such societies assume. The object of the societies contemplated by the 6 & 7 Will. 4, c. 32, is in that act described to be the "raising, by the monthly or other subscriptions of the several members of such societies, shares not exceeding the value of 150*l.* for each share, such subscriptions not to exceed in the whole 20*s.* per month for each share, a stock or fund for the purpose of enabling each member thereof to receive out of the funds of such society the amount of his or her share or shares therein, to erect or purchase one or more dwelling-house or dwelling-houses, or other real or leasehold estate, to be secured by way of mortgage to such society until the amount or value of his or her shares shall have been fully repaid to such society, with the interest thereon, and all fines or other payments incurred in respect thereof." This object is not literally possible. No building society can make advances on mortgage in the manner proposed, to *each and every* member. There must be borrowing members and lending members. The members do not associate for the purpose of encouraging each other to save up money. In a society of which the rules are now before us the shares are 120*l.*, and the subscriptions 10*s.* per month, and the reserved or minimum prices of shares at the commencement and at each succeeding half year of the society's existence are fixed by a table, calculated on the assumption, that in ten or twelve years the operations of the society will have realised 120*l.* per share on all the shares not previously advanced. As soon as the society has funds sufficient to pay 120*l.* per share in full to each member who has not previously received his share or shares in advance, the funds are to be divided among those members, and the society dissolved. Some societies are constituted so as to be capable of perpetual existence, affording a permanent investment to those members who continue in them after the amounts of their shares are realised.

The large interest (from 8*l.* per cent. upwards) required to be made on the monthly subscriptions, in order to realise the shares in so short a period, is obtained by lending, out of the subscriptions and fines from time to time in hand, as they accumulate to sufficient amounts, to each member applying for an advance and bidding the best price for it, the value of his share at the time of making the advance, (calculated at 7*l.* or 8*l.* per cent. interest), minus such further discount as the competition of other members applying for the advance obliges him to submit to. The member obtaining the advance is enabled to pay this high rate of interest by buying with it a house at twelve or ten years' purchase, which, on account of the trouble and risk incident to such kind of property, is as much as it usually fetches. He receives the advance in satisfaction of all claims upon the society in respect of the share or shares advanced, and conveys the property to trustees for the society, as a security for the due payment of his monthly subscriptions during the continuance of the society.

Now, the question is, whether the security so given for future subscriptions is a mortgage. It is, we think, sufficiently, though not very aptly, described in the Building Societies Act as a mortgage of the house to the society "until the amount or value of the share shall have been fully repaid, with interest." The society is to hold the property in mortgage until it shall have received back "the amount or value" of the share, with interest; i. e. the nominal amount of the share (120*l.*), or the present value at the time of the advance, with interest sufficient to produce the nominal amount. This the act calls "a mortgage," and we think properly. Whether it is a mortgage within the meaning of the Stamp Act is the question. That meaning is, for our present purpose, to be picked out of the following expressions introductory to the scale of duties:— "Where the same respectively shall be made as a security for the payment of any definite and certain sum of money advanced or lent at the time, or previously due and owing, or forborne to be paid being payable, not exceeding" &c.

Now, we think that the security to the members of a building society is a security that they shall receive back the amount of certain monies subscribed and *advanced* by them, with interest, the repayment to be made by instalments of 10*s.* per month, consisting of principal and interest, to be continued for an unascertained, but ascertainable, period. It is not a purchase of a life annuity, where the principal is sunk, and may never be repaid; nor is it the purchase of an annuity at all, (if it were, the security might be liable to the conveyance stamp); but it is a security for the repayment of money lent. "There is no case," said Bayley, J., in *Doe* v. *Gooch*, (3 B. & Ald. 666), "in which an annuity for years has been held not to be usurious, where, on calculation, it appeared that more than the principal, together with legal interest, is to be received." In *Fereday* v. *Wightwick*, (1 Russ. & My. 52), Sir J. Leach, M. R., said, "This, *in effect*, is an agreement to repay the principal sum of 4000*l.*, with interest, by twenty-three instalments; and, as it appears that the interest thus paid will exceed legal interest, the transaction is plainly usurious." Now, the stat. 12 Anne, st. 2, c. 16, speaks only of interest on the "loan or forbearance" of money, &c., words not more comprehensive than those in the Stamp Act. It is true that the transaction may be stated as our correspondent has stated it, and then it does not look much like a mortgage. But such a statement, though it simplifies the matter to mercantile minds, by clothing it in familiar forms of expression, is purely figurative, and does not express the ultimate facts of the case, which are these: that, at a given moment, (A.) and (B. &c.), being equally interested in a sum of money and in the expected profits of the association, (A.) relinquishes his joint interest, receives the money, and secures the repayment of it, with something more for the use, to (B. &c.) Surely this is a mortgage. (See *Mosley* v. *Baker*, 6 Hare, 98; 12 Jur. 555). It is not correct to say that the mortgagor discounts his expectancy; he abandons it; and the true statement of the case is, that the society is formed for the purpose of enabling one class of members to make a profit by lending money to another class of members, if indeed the borrowers can properly be called members at all.

Suppose that A. and B. are partners, with a capital of 1000*l.*, A. being entitled to nine-tenths and B. to one-tenth, and that they are making 10*l.* per cent. profit. They agree to dissolve partnership, to convert their joint stock into money, and to pay it to B. upon his securing to A. an annuity of 160*l.* for ten years. Does the calling of this an annuity, or the late connexion of partnership between the parties, prevent it from being a mortgage for 900*l.*?

A more important question with regard to building societies is, whether a society is within the stat. 6 & 7 Will. 4, c. 32, if it allows one member to acquire a larger interest than 150*l.* in respect of his share or shares. We believe that no such restriction has ever been adopted, and until this question is decided, no title can

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be made by the trustees of any building society without the concurrence of the mortgagor; for no purchaser can be advised to rely on the applicability of the doctrine of *Silver* v. *Barnes* (8 Scott, 300) to building societies, even if that case was rightly decided. In *Outbill* v. *Kingdom*, (1 Exch. 494), where the validity of a mortgage to one of these societies was called in question, this objection was not taken; but Pollock, C. B., and Alderson, B., suggested a doubt whether the act was intended to sanction a larger interest in one member than 150*l.*; and Parke, B., expressed an opinion that it did not. We are afraid that no other conclusion can be arrived at without rejecting the words "not exceeding the *value* of 150*l.* for each share, such subscriptions not to exceed *in the whole* 20*s.* per month for each share," as wholly insensible and inoperative. No doubt the entire clause is ill conceived and ill expressed; and, indeed, in the part in question, ungrammatical and incoherent; but, unless the entire interest of each member is limited to 150*l.*, (whether in present value or ultimate amount we need not for the present inquire), the attempted restriction on the amounts of the shares and subscriptions is inoperative. The passage bears evident traces of some legislative convulsion, and the words "shares not exceeding the value of 150*l.* for each share" are probably either an unconformable deposit in committee, or the remains of an "eocene" clause, intended in committee to be submerged and overlaid by the subsequent words, "such subscriptions" &c., which we take to be a more recent deposit. However this may be, the Courts will be unwilling to accuse the Legislature of the folly of intending to limit the value and amount of each nominal share, without intending also to limit the number of shares to be held by each member. The intention, no doubt, here, as in the Loan Societies Act, (5 & 6 Will. 4, c. 23, s. 6), was to limit both the amount of the shares and the amount of the subscriptions; or, if we are right in our explanation of the *nomological* structure of the act, it was at one time proposed that the limit on the amount of each member's interest should be imposed with reference to the value of his share, and at another time it was proposed that the limit should be on the amount of his monthly subscriptions alone, either mode of restricting the operations of such societies being considered sufficient for the purpose; and both propositions were by mistake incorporated in the act. The preamble of the act speaks of "small periodical subscriptions," and "a small freehold or leasehold property;" and it is incredible, that the Legislature should have intended to relax the usury laws with reference to transactions conducted in the form of a building society's loan, without limitation of amount. The expression "his or her share *or shares*" no doubt stands in the way of this construction; but it is much more easy to explain away these words, than to reject all the words upon which we have been commenting, as destitute of meaning. In the limiting part of the clause, the expression "each share" is evidently meant to express the entire share or interest of the member in the society. In subsequent passages, his or her "share or shares" refers to a possible division of that interest, for the convenience of making small advances.

The act leaves it doubtful whether the present value of each share, or the ultimate amount to be realised for each share, is intended. A subscription of 20*s.* per month looks like a subscription rather for shares which, at the commencement of the society's operations, will be worth 150*l.*, than for shares which will ultimately realise no more; but it is difficult to assign any judicial grounds for such a construction. Our own opinion is, that the limit of the amount of the subscriptions was intended to be *substituted* for that of the amount of the shares, as affording a more certain criterion of the value of each share, and placing less restriction on the details of the society's operations.

As the Barrister appointed to register these societies now acts upon the doubt expressed in *Outbill* v. *Kingdom*, the question will probably soon be decided upon a motion for a mandamus.

Lastly, it has been suggested that the act does not extend to copyholds. Freeholds and leaseholds only are mentioned in the preamble. This, perhaps, is not very material, and only shews that the gentleman who drew the act was not a conveyancer. The enacting part is perfectly general, and we cannot conceive that a mortgage of copyholds would not be within the protection of the act. The 5th section, however, which enables the society, by receipt indorsed on the mortgage-deed, to revest the estate in the mortgagor without any conveyance, would no doubt not extend to copyholds, so as to prejudice the lord; i. e. would not operate so as to render unnecessary any customary assurance or ceremony which would otherwise be necessary. But, when mortgages of copyholds are properly drawn, no customary assurance is necessary to put an end to them.

G. S.

London Gazettes.

TUESDAY, July 24.

INSOLVENT.

JOHN TABB, Upper Eaton-street, Pimlico, Middlesex, tea dealer and grocer.

BANKRUPTS.

EDWARD THOMAS DELAFIELD, formerly of Castle-st., Long-acre, but now or late of Mivart's Hotel, Brook-st., Grosvenor-square, and Willow-bank, Fulham, Middlesex, brewer, dealer and chapman, July 31 at 12, and Sept. 6 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Espin, 40, Bedford-row; Lawrance & Plews, 14, Old Jewry-chambers.—Fiat dated July 12.

JOHN SIDA, Brentwood, Essex, corn merchant, dealer and chapman, Aug. 3 at half-past 12, and Sept. 6 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Walton, 30, Bucklersbury.—Fiat dated July 13.

JAMES WILLIAM ENGLISH, Poultry, London, chemist and druggist, July 31 at half-past 12, and Sept. 6 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Lott, 43, Bow-lane, Cheapside.—Fiat dated July 19.

JAMES KILLICK, Dorking, Surrey, carpenter and builder, Aug. 2 at half-past 2, and Sept. 17 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Messrs. Linklaters, 1, Charlotte-row, Mansion-house, London.—Fiat dated July 23.

WILLIAM IRONS the elder, late of Potters' Bar, but now of Barnet, Hertfordshire, farmer and seed merchant, trader, dealer and chapman, Aug. 3 at 11, and Sept. 1 at half-past 1, Court of Bankruptcy, London: Off. Ass. Green; Sols. Willoughby & Co., Clifford's-inn.—Fiat dated July 19.

GEORGE LUCK HARVEY and EDWARD GRAYSON, Commercial-place, Brixton, and Dover-row, Kennington, Surrey, wine merchants, (carrying on business under the style and firm of George Harvey & Co.), Aug. 2 at 2, and Aug. 30 at half-past 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Rosser & Tamplin, Fenchurch-street.—Fiat dated July 16.

DAVID ALLAN, Coleman-street, and Lothbury, London, merchant, linen factor, dealer and chapman, (trading under the firm of David Allan & Co.), Aug. 8 and Sept. 11 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Lawrance & Plews, 14, Old Jewry-chambers, Old Jewry.—Fiat dated July 20.

THOMAS KING the younger, King's-terrace East, Greenwich, Kent, builder, Aug. 2 at 2, and Sept. 4 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Moss, 12, Gray's-inn-square, and Asylum-road, Old Kent-road.—Fiat dated July 17.

JOHN COLLINGWOOD IVES, Norwich, haberdasher, dealer and chapman, Aug. 2 at 3, and Sept. 11 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Reed & Co., 59, Friday-st., Cheapside.—Fiat dated July 18.

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HENRY TAPPENDEN the younger, Ashford, Kent, corn dealer, dealer and chapman, Aug. 6 at 2, and Sept. 11 at half-past 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Wilkinson & Gurney, Nicholas-lane, Lombard-street.—Fiat dated July 16.

THOMAS WISKING, St. John-st., Brick-lane, Bethnal-green, Middlesex, timber merchant, dealer and chapman, Aug. 6 and Sept. 11 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Shillibeer, 25, Bucklersbury.—Fiat dated July 23.

WILLIAM HARDWICK, Great Russell-st., Bloomsbury, Middlesex, laceman, dealer and chapman, Aug. 2 and Sept. 4 at half-past 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Braham, 101, Chancery-lane.—Fiat dated July 19.

HAMLET DUROSE, Woodsetton, near Sedgley, Staffordshire, surveyor, builder, and farmer, dealer and chapman, Aug. 4 and 30 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Ward, Stafford; Smith, Birmingham.—Fiat dated July 17.

THOMAS JONES, Caron, Cardiganshire, cattle salesman, dealer and chapman, Aug. 10 and Sept. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Hassell, Bristol; Irwin & Taylor, Gray's-inn.—Fiat dated July 20.

JOHN FISHER, Bristol, livery-stable keeper, dealer and chapman, Aug. 9 and Sept. 6 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. W. & C. Bevan, Bristol; White & Co., Bedford-row, London.—Fiat dated July 20.

SARAH BEAL and JOSEPH BEAL, Ran Moor, Sheffield, Yorkshire, scissor smiths and cutlery manufacturers, Aug. 4 and Sept. 15 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Binney, Sheffield; Nixon, Warwick-court, London.—Fiat dated July 16.

Meetings.

Wm. Hurcombe, Bristol, timber dealer, Aug. 14 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Gill*, Silsden, Kildwick, Yorkshire, coal merchant, Aug. 14 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Woodhouse*, Darlington, Durham, butcher, Aug. 14 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Charles Oswin, Harley-street, Cavendish-sq., Middlesex, dentist, Aug. 14 at 12, Court of Bankruptcy, London.—*Joshua Sim*, Cockermouth, *Joseph Sim*, and *Daniel Sim*, Braithwaite, Cumberland, woollen manufacturers, Aug. 16 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Woodhouse*, Darlington, Durham, butcher, Aug. 14 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Quigley*, Birkenhead, Cheshire, victualler, Aug. 14 at 11, District Court of Bankruptcy, Liverpool.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 14.

Thomas Smith and *James Osborne*, Red Cross-st., Southwark, Surrey, builders.—*S. Hignett*, Houlston and Middle, Shropshire, maltster.—*Henry Edw. Stevens*, Grays, Essex, grocer.—*Chas. Pritchard*, Hereford, wine merchant.—*Wm. Worrall*, Batchelor, Worcestershire, woollen draper.—*George Day*, Worcester, cattle dealer.—*Wm. Belton*, Friday-street, Cheapside, London, wine merchant.—*John Scott*, Devonport, Devonshire, jeweller.—*Wm. Elsam*, Duckmanton, Derbyshire, provision dealer.—*James Wild*, Brecon, licensed victualler.—*John Redington*, Moreton, Essex, miller.—*Joseph Holdsworth*, Whitechapel-road, Middlesex, carpenter.—*John Jackson* the elder, Stockport, Cheshire, tailor.

Fiat Annulled.

Thomas Cox, Hanley, Staffordshire, draper.

Scotch Sequestrations.

James Anderson, Rispond, Sutherlandshire, farmer—*Wm. Stewart M'Kechnie*, Glasgow, merchant.—*Stephen Roberton*, Glasgow, clothier.—*James Young*, Dykeshead, East Kilbride, Lanarkshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel Stacey, Maidstone, Kent, tailor, Aug. 7 at 12, County Court of Kent, at Maidstone.—*Thomas Mansfield*, Tutbury, Staffordshire, cordwainer, Aug. 6 at 11, County Court of Staffordshire, at Burton.—*William Walker*, Stone, Staffordshire, veterinary surgeon, July 27 at 10, County Court of Staffordshire, at Stone.—*Timothy Rogers*, Oxford, farrier, Aug. 23 at 2, County Court of Oxfordshire, at Oxford.—*William Thorp*, Oxford, tailor, Aug. 23 at 2, County Court of Oxfordshire, at Oxford.

Saturday, July 21.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Geo. Cunningham, London-wall, London, hawker of Irish linens, No. 60,714 T.; John Welsford Truscott, assignee.—*Benjamin Lockwood*, Sheffield, Yorkshire, grocer, No. 70,939 C.; William Jarvis, assignee.—*John Kenney*, Everton, near Liverpool, builder, No. 71,069 C.; William Mackenzie Duckworth, assignee.—*James Horsfall*, Bradford, Yorkshire, out of business, No. 71,074 C.; John Shackleton, assignee.—*John Dunthorne*, South Lynn, Norfolk, linendraper, No. 71,185 C.; George Lovick Coleman, assignee.

Saturday, July 21.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Clifford Angell, Kennington-lane, Vauxhall, Surrey, liquid sugar-refiner: in the Queen's Prison.—*James Barrett*, Club-chambers, Regent-street, Middlesex, stock dealer: in the Queen's Prison.—*Sam. Dicken Corbet Grinsell*, Camden-square, Camberwell, Surrey, occasionally employed in the Surrey Zoological-gardens: in the Queen's Prison.—*William Dunning Gay Perrott*, Edward-street, Dorset-square, Middlesex, wheelwright: in the Debtors Prison for London and Middlesex.—*Edwin Wood*, Gloucester-street, Hoxton Old-town, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Henry Marshall*, Alfred-place, Bedford-square, Middlesex, following no trade: in the Debtors Prison for London and Middlesex.—*R. Simmonds*, Northolt, near Hanwell, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*Geo. Lockwood*, Edward-terrace, Liverpool-road, Islington, Middlesex, general agent: in the Debtors Prison for London and Middlesex.—*Felix Wibert*, Vauxhall-gardens, Vauxhall, Surrey, teacher of languages: in the Gaol of Horsemonger-lane.—*Jos. Shephard*, Villa-street, Walworth-common, Surrey, dealer in building materials: in the Gaol of Horsemonger-lane.—*Adolphus Feistel*, Wellington-terrace, Waterloo-road, Surrey, wine dealer: in the Gaol of Horsemonger-lane.—*Catherine Everard*, Kingsland-green, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Dan. James Young*, East-road, City-road, Shoreditch, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*John Patching*, Cornwall-road, Lambeth, Surrey, corn chandler: in the Debtors Prison for London and Middlesex.—*Ebenezer Tearle*, Bark-place, Bayswater-road, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*Robt. Fraser*, Wandsworth-road, Surrey, baker: in the Debtors Prison for London and Middlesex.—*Wm. Hen. Smith*, Walcot-place, Lambeth, Surrey, retired commander in the Royal Navy: in the Queen's Prison.

(On Creditors' Petitions).

Thos. Woodward, Cottage-grove, Walworth, Surrey, farmer: in the Gaol of Horsemonger-lane.—*Alexander Gordon John Bishop*, Duke-street, Manchester-square, Middlesex, clerk: in the Queen's Prison.

(On their own Petitions).

Joseph Armitage, Tranmere, Cheshire, baker: in the Gaol of Lancaster.—*George Barrow*, Ulverston, Lancashire, blacksmith: in the Gaol of Lancaster.—*Daniel Birthes*, Manchester, fustian shearer: in the Gaol of Lancaster.—*John Coope*, Patricroft, near Manchester, joiner: in the Gaol of Lancaster.—*H. Dyson*, Manchester, potato dealer: in the Gaol of Lancaster.—*Richard Farrer*, Lancaster, manager of a cotton mill: in the Gaol of Lancaster.—*James Greenhalgh*, Bridge-

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field, Oakenrod, near Rochdale, Lancashire, spindle maker: in the Gaol of Lancaster.—*Jas. Higson*, Manchester, plumber: in the Gaol of Lancaster.—*James Mead*, Liverpool, agent to a licensed victualler: in the Gaol of Lancaster.—*Joseph W. Oldland*, Bristol, assistant to a woollen draper: in the Gaol of Bristol.—*Daniel Wood Redfern*, Bredbury, near Stockport, Cheshire, retail dealer in ale: in the Gaol of Lancaster.—*Jos. Watkinson*, Manchester, out of business: in the Gaol of Lancaster.—*Wm. J. Warrington*, Chorlton-upon-Medlock, Manchester, chemist: in the Gaol of Lancaster.—*John Bowden*, Coomb's-mill, Charlesworth, Glossop, Derbyshire, farmer: in the Gaol of Derby.—*M. Fisher*, Cawston, Norfolk, general shopkeeper: in the Gaol of Norwich.—*Wm. Ffrench*, Balsall-heath, Worcestershire, currier: in the Gaol of Coventry.—*J. Glanville*, Exton, Woodbury, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*Thomas Steeple*, Royton, near Oldham, Lancashire, innkeeper: in the Gaol of Lancaster.—*James Swindells*, Whitehough, Bradshaw-edge, Chapel-en-le-Frith, Derbyshire, shoemaker: in the Gaol of Derby.—*James Dobbs*, Southmolton, Devonshire, auctioneer: in the Gaol of St. Thomas the Apostle.—*Cardwell Chetham*, Newton-in-the-Willows, Lancashire, attorney at law: in the Gaol of Lancaster.—*E. Pullinger*, Lewes, Sussex, cooper: in the Gaol of Lewes.—*Jane Hodgson*, Leeds, Yorkshire, assistant innkeeper: in the Gaol of York.—*David Avison*, Robert-town, near Dewsbury, Yorkshire, coal leader: in the Gaol of York.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug 4 at 10, *before Mr. Commissioner* PHILLIPS.
Adjourned.

James Mitchell, Hornsey Nursery, Hornsey, Middlesex, nurseryman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, *Aug. 7.*

Wm. Clarke, Nelson-street, Greenwich, in no business.—*John Reynolds*, Blisset-street, Greenwich, out of business.—*Wm. J. Toomer*, Chatham, licensed beerseller.—*Jesse Joy*, Bearsted, near Maidstone, saddler.

At the County Court of Cornwall, at BODMIN, *Aug. 9 at* 10.

Wm. Toll the younger, Sheviock, *out of business.*

FRIDAY, JULY 27.

BANKRUPTS.

EDWARD HEATHER, Crawford-street, Marylebone, Middlesex, straw hat maker, dealer and chapman, Aug. 4 at 11, and Sept. 6 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Peddell, 142, Cheapside.—Fiat dated July 25.

JOHN COLSON, late of Upper Holloway, Islington, Middlesex, publican and licensed victualler, and now of Milton, near Gravesend, Kent, out of business, Aug. 3 at half-past 12, and Sept. 7 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Messrs. Field, Finchley, Middlesex.—Fiat dated July 24.

SAMUEL COX the elder, formerly of Upper Winchester-st., Pentonville, Middlesex, beer retailer, then of Cobham-row, Clerkenwell, Middlesex, plumber and builder, now a prisoner in the Queen's Bench Prison, Surrey, Aug. 4 at half-past 12, and Sept. 7 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Boulton, 21 a, Northampton-square, Clerkenwell.—Fiat dated July 19.

JOSEPH CARY, Shepton Mallet, Somersetshire, printer, bookseller, and stationer, Aug. 14 and Sept. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Phipps, Shepton Mallet.—Fiat dated June 6.

JAMES DOWLE, Chepstow, Monmouthshire, wine and spirit merchant, dealer and chapman, Aug. 10 and Sept. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Sabine, Bristol.—Fiat dated July 13.

JAMES CARTER, Bristol, victualler, Aug. 14 and Sept. 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Whittington & Gribble, Bristol; Surr & Gribble, Lombard-street, London.—Fiat dated July 4.

GEORGE TEAGLE WINTER, late of Saddler's-place, London-wall, London, chandler-shop keeper, and now of Brick-lane, Old-street, St. Luke's, Middlesex, builder, Aug. 6 at half-past 2, and Sept. 18 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Darby, 77, Chancery-lane.—Fiat dated July 18.

THOMAS MORRIS, Abergavenny, Monmouthshire, corn, flour, and seed merchant, Aug. 7 and Sept. 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Crosby, Bristol: Jay, Serjeant's-inn, London.—Fiat dated July 12.

JOHN STEVENSON, Brecon, grocer and tea dealer, dealer and chapman, Aug. 10 and Sept. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. W. and C. Bevan, Bristol; Evans, Brecon; White & Co., Bedford-row.—Fiat dated July 23.

MAURICE POWELL, [illegible], Montgomeryshire butcher and innkeeper, Aug. 13 and Sept. 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Jones, Newtown, Montgomeryshire; Gregory & Co., Bedford-row, London.—Fiat dated July 24.

JAMES STOTT, Balladen, Lancashire, cotton spinner and manufacturer, dealer and chapman, Aug. 7 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Cobbett, Manchester; Hargreaves, Newchurch; Milne & Co., Temple, London.—Fiat dated July 16.

BERNARD BOTTENHEIM, Manchester, merchant, dealer and chapman, (trading under the firm of Bottenheim & Co.), Aug. 7 and Sept. 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester; Reed & Co., Friday-street, Cheapside, London.—Fiat dated July 16.

RICHARD BIRRELL, Blackburn, Lancashire, linen and woollen draper, tea dealer, dealer and chapman, Aug. 6 and Sept. 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Wilding & Fisher, Blackburn; Milne & Co., Temple, London.—Fiat dated July 19.

CHARLES STATES, Newcastle-upon-Tyne, innkeeper, dealer and chapman, Aug. 7 at half-past 10, and Sept. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Jobling & Fleming, and Swan & Burnup, Newcastle-upon-Tyne; Bell & Co., Bow-church-yard, London.—Fiat dated July 20.

MEETINGS.

John Thuell and *Wm. Jeffery*, Buckfastleigh, Devonshire, woollen manufacturers, Aug. 22 at 11, District Court of Bankruptcy, Exeter, last ex. of *John Thuell*.—*Thos. Allen*, Great Suffolk-street, Southwark, Surrey, Birmingham and Sheffield warehouseman, Aug. 21 at 2, Court of Bankruptcy, London, aud. ac.—*Thomas Tily*, Duraley, Gloucestershire, veterinary surgeon, Aug. 31 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.—*David Rees*, Swansea, Glamorganshire, grocer, Aug. 31 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Wild*, Brecon, Brecknockshire, licensed victualler, Aug. 21 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Elkson*, Cricklade, Wiltshire, grocer, Aug. 31 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*George Price*, Merthyr Tydvil, Glamorganshire, innkeeper, Aug. 31 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*George Cunningham*, Northwich, Cheshire, grocer, Aug. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Aug. 24 at 11, div.—*Thomas Tattersall*, Liverpool, corn merchant, Aug. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Carter* and *James Baines*, Liverpool, merchants, Aug. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Cousen* and *Lucy Cousen*, Bingley, Yorkshire, and *John Richardby Cousen*, Bradford, Yorkshire, worsted spinners, Aug. 21 at 11, District Court of Bankruptcy, Leeds, aud. ac. and fin. div. sep. est. of *Lucy Cousen*; at 12, div. joint est.—*John Hall* the younger, Shrewsbury, Shropshire, timber merchant, Aug. 21 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Robbins*, Birmingham, grocer, Aug. 21 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*James Vaughan*, Hereford, plumber, Aug 28 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Aug. 30 at 12, div.—*Wm. Henderson*, Wolverhampton, Staffordshire, tin-plate manufacturer, Aug. 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Nathaniel Derry Morris*, Hereford, hop merchant, Aug. 21 at 10, District Court of Bankruptcy, Birmingham, aud. ac.

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and div.—*Peter Woolley*, Ross, Herefordshire, tailor, Aug. 21 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*William Bishton*, Parkfield, Sedgley, Staffordshire, ironmaster, Aug. 21 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*John Clarke* and *George Clarke*, Market Harborough, Leicestershire, and Ropemaker-street, London, and Burton Latimer, Isham, and Spratton, Northamptonshire, carpet manufacturers, Aug. 21 at 10, District Court of Bankruptcy, Birmingham, div.—*John Gill*, Silsden, Kildwick, Yorkshire, coal merchant, Aug. 20 at 11, District Court of Bankruptcy, Leeds, div.—*James D. Green*, Leeds, Yorkshire, plaid manufacturer, Aug. 20 at 12, District Court of Bankruptcy, Leeds, div.—*Wm. James Dunsford*, Bristol, surgeon, Aug. 17 at 11, District Court of Bankruptcy, Bristol, div.—*James H. Allen*, Porth Cawl, Newton Nottage, Glamorganshire, timber merchant, Aug. 17 at 11, District Court of Bankruptcy, Bristol, div.—*James S. Tonge*, Liverpool, coal proprietor, Aug. 24 at 11, District Court of Bankruptcy, Liverpool, div.—*George Thos. Arnold*, Liverpool, news agent, Aug. 23 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

W. Giscard, Ely, Isle of Ely, Cambridgeshire, watchmaker, Aug. 17 at 1, Court of Bankruptcy, London.—*Thos. Allen*, Great Suffolk-street, Southwark, Surrey, Birmingham and Sheffield warehouseman, Aug. 21 at 2, Court of Bankruptcy, London.—*J. Rewcastle*, Gateshead, Durham, copperas maker, Aug. 21 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*George Wheelhouse*, York, banker, Aug. 27 at 12, District Court of Bankruptcy, Leeds.—*J. Morris*, Brecon, druggist, Aug. 17 at 11, District Court of Bankruptcy, Bristol.—*Samuel Roberts*, Llanrhaidr yn Mochnant, Denbighshire, innkeeper, Aug. 20 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Henry Suter*, Liverpool, ship broker, District Court of Bankruptcy, Liverpool.—*Edwin H. Fereday*, Bilston, Staffordshire, oil merchant, Aug. 21 at 10, District Court of Bankruptcy, Birmingham.—*Thos. J. Fehr*, Birmingham, furrier, Aug. 18 at 12, District Court of Bankruptcy, Birmingham.—*John Harrison*, Hereford, mercer, Aug. 18 at 12, District Court of Bankruptcy, Birmingham.—*Sylvester Sill*, Worcester, draper, Aug. 18 at 12, District Court of Bankruptcy, Birmingham.—*Joseph C. Brown*, Taunton, Somersetshire, draper, Aug. 28 at 11, District Court of Bankruptcy, Exeter.—*Lemuel Gulliver Groves*, Charlton Marshall, Dorsetshire, horse dealer, Aug. 22 at 11, District Court of Bankruptcy, Exeter.—*John Bryant Ryder Durant*, Stogursey, Somersetshire, grocer, Aug. 21 at 11, District Court of Bankruptcy, Exeter.—*Giles Dixon*, Uffculme, Devonshire, butter factor, Aug. 28 at 11, District Court of Bankruptcy, Exeter.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 17.

John Jordan, Birmingham, surgeon.—*Joseph Ivey Baker*, Wolverhampton, Staffordshire, iron dealer.—*Wm. B. Baker*, Wolverhampton, Staffordshire, iron dealer.—*William Ask*, Wakefield, Yorkshire, watchmaker.—*John Vaughan*, High Holborn, Middlesex, leather dresser.—*Henry Clark*, Red Cross-st., London, and Plummer's-row, Whitechapel, Middlesex, oil merchant.—*Wm. Godfrey*, London-wall, London, carpenter.—*H. Edmonds*, Charles-st., Westbourne-terrace, Middlesex, dairyman.—*Joseph Peachey*, Colchester, Essex, cabinet maker.—*John Taylor*, Lincoln, butcher.—*Henry Lister*, Lincoln, miller.

FIAT SUPERSEDED.

Samuel Henry Leach the younger, High-street, Kingsland, Middlesex, jeweller.

PARTNERSHIP DISSOLVED.

Henry Brown and *William Harrison Brown*, Wakefield, Yorkshire, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

James Cockburn, Cluniemains, Fifeshire, farmer.—*Richard Armit Miller*, Dundee, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Williams, Kinson, Canford Magna, Dorsetshire, out of business, Aug. 28 at 12, County Court of Dorsetshire, at Poole.—*Wm. Henry Sutton*, Broadway, Somersetshire, assistant land surveyor, Aug. 17 at 2, County Court of Somersetshire, at Chard.—*Maria Frances Thomas*, Clifton, Bristol, Aug. 28 at 11, County Court of Gloucestershire, at Bristol.—*James Gillett*, Stapleton, Gloucestershire, miller, Aug. 28 at 11, County Court of Gloucestershire, at Bristol.—*Thomas M'Entegart*, Liverpool, corn dealer, July 30 at 10, Liverpool District County Court, at Liverpool.—*Jos. Taylor*, Salford, Lancashire, dealer in thread, Aug. 6 at 12, County Court of Lancashire, at Salford.—*Robert Sharp*, Caistor, Lincolnshire, butcher, Aug. 29 at 9, County Court of Lincolnshire, at Caistor.—*John Thomas*, Wolverhampton, Staffordshire, assistant to an upholsteress, July 31 at 12, County Court of Staffordshire, at Wolverhampton.—*James Robinson*, Stafford, cooper, July 28 at 10, County Court of Staffordshire, at Stafford.—*Wm. Voller*, Chichester, Sussex, baker, Aug. 8 at 11, County Court of Sussex, at Chichester.—*Thomas Bradford*, Dallam Potteries, Burtonwood, Lancashire, earthenware manufacturer, Aug. 2 at 10, County Court of Lancashire, at Warrington.—*John Wm. Elton*, Weston-super-Mare, Somersetshire, attorney at law, Aug. 13 at 2, County Court of Somersetshire, at Weston-super-Mare.—*Joseph Wardle*, Beeston, near Leeds, Yorkshire, clerk, Aug. 22 at 10, County Court of Yorkshire, at Leeds.—*David Berry*, Huddersfield, Yorkshire, tripe vendor, Aug. 16 at 10, County Court of Yorkshire, at Huddersfield.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, *Aug.* 14.

Edward Pullinger, Lewes, cooper.—*Edwin Bourne*, Brede, agricultural labourer.—*Wm. Histed* the younger, Brighton, assistant to a dairyman.

At the County Court of Gloucestershire, at BRISTOL, *Aug.* 28 *at* 11.

Joseph Weight Oldland, Bristol, assistant to a woollen-draper.

At the County Court of Hertfordshire, at HERTFORD, *Aug.* 13.

William Rudd, Kingswalden, farmer.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—The Right Honourable Sir James Duke, Knt., Mayor of the city of London, for the city of London, in the room of James Pattison, Esq., deceased.

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Then, if that be so, the question is, how are the qualities that are essential to the formation of the accomplished and practically useful counsel best acquired and strengthened? Judgment, knowledge of mankind, clearness of apprehension, and perhaps, above all, the faculty of expressing with the lips, not only with clearness, but with persuasive influence, that which the mind comprehends—these are among the essential qualities of the counsel and advocate. How are they best acquired and strengthened? Is it by a sickening devotion to the single pursuit of legal knowledge—by storing the memory till it is overloaded with legal reading, and exercising only those functions of the intellect which are called into play by purely technical disquisitions; or is it not rather by supplying the mind from time to time with fresh ideas, fresh objects of thought—studies which, being a change, invigorate and refresh, while they inform and enlarge? Can any man say that he will read one of the higher poets, or, if science be to his taste, that he will possess himself of the knowledge of any branch of it, and not by such intellectual exercise so strengthen his general faculties, so enlarge his circle of thought, that he will be, not a more learned, but a better lawyer—better in the sense, that what learning he possesses he will better wield; that what opinion he can form he will better express? If the matter rested upon reasoning, the conclusion would, we think, be clear, that, provided a man does not so spread and extend his pursuits as to fritter away his mental strength, by passing from subject to subject without possessing any, the greater the extent of his general knowledge—the greater the polish of his mind, by the pursuit of either art or literature, the more accomplished, the more useful will he be as a lawyer. But this conclusion does not rest on reasoning alone: it is supported by facts.

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names of Lord Mansfield and Lord Stowell are familiar as those of men of whom it is historical, that their cultivation of various branches of knowledge came in aid of their reputation, and, we doubt not, of their capacity, as lawyers; and to these might be added numerous names among the living. To one, at least, that of Lord Jeffrey, it may be permitted to refer.

We look, then, upon the elevation of the recently-appointed Judge as a proof that the Government of the country has perceived a change in public opinion; that it is not afraid to make a man a Judge because he has been an open worshipper at the shrine of literature; and we trust that there is, in fact, such a change in public opinion, and that henceforth lawyers may shew that they are men as well as lawyers—may love something besides reports, and pleadings, and forms—may refresh and strengthen their minds and purify their tastes with the pursuits of art, or literature, or science, without it being concluded, that, in proportion as anything else goes into their heads, law goes out.

THE duty of a magistrate to accept bail for the appearance of a person charged with a misdemeanour, if sufficient sureties be tendered, has been clearly recognised for many years. In a recent case, in which it was held, that bail in such cases are not to be rejected on account of their personal character or opinions, Lord Denman, C. J., in delivering the judgment of the Court, said, "Standing charged with a misdemeanour, O'Neil (the accused) claims the right of every man, so charged, to be released from prison and admitted to bail on producing sufficient sureties. . . . . Neither of the learned counsel who opposed the rule contended, that a magistrate can lawfully reject bail at his own discretion, or is at liberty, when bail is offered, to enter into an investigation as to the character or opinions of such bail, provided he is satisfied of their sufficiency to answer for the appearance of the party, in the amount reasonably required for that purpose. The law is clear, and is as old as the Statute of Westminster, 3 Edw. 1, c. 15. Lord Coke, in his commentary upon that statute, (2 Inst. 191), says, that 'to deny a man plevin that is plevisable, and thereby to detain him in prison, is a great offence, and grievously to be punished.' And Lord Hale (2 P. C. 135) adopts the same remarks; and Hawkins (part 2, c. 15, s. 13) speaks of refusal of bail as an indictable offence. Blackstone, (4 Com. c. 22), referring to the ancient statute, the Habeas Corpus, and the Bill of Rights, calls it 'an offence against the liberty of the subject.' If, then, such refusal took place from improper motives, it might be treated as a criminal offence." (*Reg.* v. *Badger*, 4 Q. B. Rep. 468).

This was the rule as to all misdemeanours, and magistrates had no discretion on such charges, as to refusing the sureties, when once satisfied of their sufficiency. But it is remarkable, as observed by the Court in *Linford* v. *Fitzroy*, (13 Jur. 303), that the stat. 11 & 12 Vict. c. 42, s. 23, has drawn a distinction, and given authority to justices to admit to bail, *at their discretion*, persons accused of certain specified misdemeanours, although, in other cases of misdemeanour, it has directed them to receive bail.

A question has recently been mooted, (independently of the last-named statute), whether an action can be maintained against a magistrate for refusing sufficient bail tendered on a charge of misdemeanour, unless he has been actuated in his refusal by malice. (*Linford* v. *Fitzroy*, 13 Jur. 303). This, as stated by the Court, depends on a previous question, whether the acceptance be a judicial or a ministerial act. It is, in truth, an act partaking of both a judicial and a ministerial character: judicial, as to the question of sufficiency of the bail; ministerial, as to that of the acceptance of them when found to be sufficient. The Court, after "much doubt and difficulty in arriving at a conclusion on the point," decided that they could not separate this two-fold character of the act, and laid down this "broad line of distinction, that, unless the duty of the magistrate is *simply and purely ministerial*, he cannot be made liable to an action for a mistake in doing, or omitting to do, anything in execution of that duty, unless he can be fixed with malice."

This decision, it will be seen, goes beyond other authorities relating to judicial and ministerial acts; and probably the rule may now be stated in the following terms—that no action will lie, in the absence of malice, where the act complained of is partly of a judicial and partly of a ministerial character, although the complaint may have reference simply to that part which is ministerial.

In these reports of bad reputation* still called "modern" are two cases on this subject, which are strengthened by their having been cited by the Court in *Linford* v. *Fitzroy*. One (*Muriel* v. *Tracey*, 6 Mod. 169) was an action on the case against three persons, one of whom was a justice, for a conspiracy illegally to imprison the plaintiff; and it appeared that the justice having been persuaded by the others that the offence was not bailable, had refused to bail the plaintiff. Holt, C. J., held, that, "if from ignorance of law, and no malice of heart, he had committed the plaintiff, he ought to be acquitted." In the other, (*Rex* v. *Tracey*, 6 Mod. 179), it was said, by the Court, that "it is an offence in a justice to refuse bail in case of a common misdemeanour; and it suffices to say, in the indictment, that sufficient bail was tendered, without saying that the party knew them to be sufficient."

In *Osborn* v. *Gough* (3 B. & P. 550) the declaration, in an action against a magistrate for a similar breach of duty, alleged that it was committed "maliciously," and probably malice was proved. The allegation of malice, however, is omitted in the precedent in 2 Chitty on Pleading, (p. 634), which should be corrected in this respect.

MASTER IN CHANCERY.—The Lord Chancellor has appointed George Arnold, Gent., of Edenbridge, Kent, to be a Master Extraordinary in the High Court of Chancery.

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* In *Ridoubt* v. *Paine*, (1 Ves. 11), Lord Hardwicke said that the case of *Bridgwater* v. *Bolton* (6 Mod. 186) was well reported in a book of no repute; and on another occasion, (*Middleton* v. *Croft*, Cas. temp. Hardw. 126), that 6 Mod. was not a book of the greatest authority or correctness. And as to the other volumes, see 7 East, 239; 2 Ld. Raym. 1072; 1 Burr. 386; 3 Burr. 1326; Doug. 83.

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SPECIAL VERDICTS IN CRIMINAL CASES.

Our attention has been called, by a correspondent, to the observations of a learned counsel in a case of forgery, tried before Mr. Justice Erle at the Oxford Assizes, on the subject of special verdicts in criminal cases. On the judge suggesting to the jury to find the facts specially, the prisoner's counsel is reported to have said, that "the practice of finding special verdicts in criminal cases was a novelty, and that he was not then aware of any authority for it*." Abundant authority may, however, be produced in its support, and an examination of the question will leave no doubt that the suggestion of Mr. Justice Erle had the sanction of ancient practice and express decisions of the Courts. Blackstone, in treating of verdicts in criminal cases, says, "And such public or open verdict may be either general, guilty or not guilty, or special, setting forth all the circumstances of the case, and praying the judgment of the Court whether, for instance, on the facts stated, it be murder, manslaughter, or no crime at all;" (4 Bl. Com. 361); but he cites no authority in support of his position. It is laid down by Lord Chief Baron Comyns, that a special verdict may be found "*in all cases*, as well upon indictments as common pleas." (Com. Dig. "Pleader," S. 2). Hawkins remarks, "It is settled that the jury may give a special verdict *in any criminal case*, whether capital or not capital, as well as in civil." (2 P. C., c. 47, s. 3). So, remarks Lord Hale, "if a man be indicted of murder ex malitiâ præcogitatâ, the jury may find him guilty of manslaughter, (Co. Litt. 282. a.), or that he killed him se defendendo, or per infortunium; but nota, in these cases it is not sufficient generally to find it done se defendendo, or per infortunium, but the special matter must be set down how it was done; and if, upon the special matter shewn, it shall appear to be murder or manslaughter, the Court will judge of it. And in these cases, though it be found per infortunium, or se defendendo, upon the special matter set forth, yet this special matter must be recorded; for though it be not such a felony as hath judgment of life, yet it is such an offence as gives the forfeiture of goods, and therefore they may not find a general not guilty, but must find the special matter, and leave it to the Court to judge." (2 P. C. 302). "Many special verdicts," continues Lord Hale, "have been found, as upon the statute of stabbing, so upon the point whether murder or not; but it is difficult to find them so that judgment may be given for murder, because there are so many circumstances required to be found, that if any be omitted the verdict will fall only to manslaughter. I have rarely known, upon any special verdict, where the question was murder or manslaughter, judgment to be given for murder, but commonly for manslaughter, or se defendendo. Tutius erratur ex parte mitiori." Lord Coke, also, to the same effect, and referring to numerous cases in the books, says, "And as a special verdict may be found in common pleas, so may it also be found in pleas of the Crown, or criminal causes that concern life or member." (Co. Litt. 226. b.)

In *Dowman's case* (9 Coke, 12. b.) it was expressly decided that a special verdict may be given in criminal cases. The jury having found the facts specially, "it was resolved, by Sir Edward Anderson, C. J., and all the justices of the bench, that the special verdict in the case at bar was well found; and they held, that in all pleas of the Crown, as in common pleas, and upon all issues joined, either between the King and the party, or between party and party, the jury may find the special matter, which is pertinent, and tends only to the issue joined, upon which, being doubtful to them in law, they may pray the opinion of the Court; and this they may do by the common law, which has ordained that matters in fact shall be tried by jurors, and matters in law by judges."

In *Mackalley's case*, (9 Coke, 63), where the prisoner was indicted for murder, the whole of the special verdict is set out at length, in proper form.

In *Joyner's case*, at the sessions for Newgate, April 20, 1664, (1 Kelynge, 29), the jury were recommended to find the facts specially; but eventually a verdict of not guilty was entered, on the ground that "it would be dishonourable for the Court, in *so plain a case*, to suffer the jury to find a special verdict." And in *Reg.* v. *Mawgridge* (Hil. Term, 5 Anne; Kel. 120) the jury found a special verdict, and, the record having been removed into the Queen's Bench, the matter was argued before all the judges. In *Oneby's case*, (Trin., 13 Geo. 1, B. R.), where the prisoner was indicted for murder, the jury also found a special verdict, on which the Court afterwards gave judgment. In *Morgan's case* (Bulst. 87) the jury found the facts specially, and upon the finding of the jury the Court were divided, Williams and Crooke, JJ., holding that the facts amounted to murder, and Flemming, C. J., entertaining a different opinion; and, remarks Bulstrode, "as for the verdict thus given by the jury of this curia advisare vult, and so the matter was adjourned till another day."

Beside these instances, in which special verdicts have been given in criminal cases, our attention has been pointed to the case of *John Huggins*. (17 St. Tr. 372, 380). The prisoner was indicted for murder, and a special verdict was returned, and afterwards a venire de novo awarded. These authorities will, perhaps, be accepted as sufficient vindication of the antiquity and propriety of the practice; it is only necessary to add, that, in a recent case before the Court of Criminal Appeal, judgment was given on a special verdict.

* Morning Herald, 13th ult.

COUNTY COURTS.—ORDER IN COUNCIL.

At a Court holden at Osborne House, Isle of Wight, on the 30th ult., present, the Queen's Most Excellent Majesty in Council, it was ordered—

That from and after the 1st October, 1849, the person or persons holding the office of clerk of the respective county courts hereinafter mentioned, under the provisions of an act passed in the tenth year of her Majesty's reign, intituled "An Act for the more easy Recovery of Small Debts and Demands in England," shall be paid by salaries, instead of by fees, and that the sum of 500*l.* per annum shall be the salary attached to the office of clerk of each of the said courts, whether the same shall be filled by one or more persons; and that the sum of 500*l.* per annum shall be paid by way of salary to the person or persons holding the office of clerk of each of the following county courts, (exclusive of all salaries to his clerk or clerks employed in the business of such court, and other expenses incidental to the office of clerk, to be regulated and controlled by the Commissioners of her Majesty's Treasury), at such times and in such manner as the said commissioners may think fit to direct; but in case the clerk of any one of the said county courts shall have acted in the same capacity in any court mentioned in the Schedule (A.) annexed to the said act which has been abolished, and was in the receipt of a larger net income than 500*l.* per annum, then the salary of such clerk shall not be less than the average amount of the salary, fees, or emoluments of his former office during the seven years next before the passing of the said act, namely:—

The Westminster County Court of Middlesex.
The Clerkenwell County Court of Middlesex.
The Bloomsbury County Court of Middlesex.
The Shoreditch County Court of Middlesex.

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The Marylebone County Court of Middlesex.
The Whitechapel County Court of Middlesex.
The Southwark County Court of Surrey.
The Lambeth County Court of Surrey.
The County Court of Lancashire holden at Liverpool.
The County Court of Lancashire holden at Manchester.
The County Court of Yorkshire holden at Sheffield.
The County Court of Yorkshire holden at Bradford.
The County Court of Yorkshire holden at Kingston-upon-Hull.
The County Court of Warwickshire holden at Birmingham.
The County Court of Gloucestershire holden at Bristol.

London Gazettes.

TUESDAY, July 31.

BANKRUPTS.

THOMAS PARFREMENT, King-street, Holborn, Middlesex, bootmaker, Aug. 10 and Sept. 7 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. May, 14, Queen-square, Bloomsbury.—Fiat dated July 27.

JOSEPH SMITH, Colchester, Essex, innkeeper and licensed victualler, and dealer in calves, Aug. 10 and Sept. 7 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Cross, 28, Surrey-street, Strand.—Fiat dated July 26.

JAMES BUTCHER, Waterloo-road, Surrey, builder, retail dealer in beer, dealer and chapman, Aug. 13 at 2, and Sept. 18 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Pocock & Poole, 58, Bartholomew-close.—Fiat dated July 28.

JOHN TABB, Upper Eaton-street, Pimlico, Middlesex, tea dealer and grocer, Aug. 15 at 1, and Sept. 18 at half-past 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Hayes, 8, Craig's-court, Charing-cross.—Fiat dated July 27.

WILLIAM JERDAN, of Milton next Gravesend, Kent, late of Beaufoy-terrace, Edgeware-road, Middlesex, newspaper proprietor, publisher, bookseller, dealer and chapman, Aug. 9 and Sept. 18 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Benham, 18, Essex-street, Strand.—Fiat dated July 30.

GEORGE PRICE HILL, Fleet-st., London, common carrier, dealer and chapman, Aug. 15 at 11, and Sept. 18 at half-past 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. G. & C. Smith, 5, Southampton-buildings, Holborn.—Fiat dated July 24.

WILLIAM HENRY MAYBURY, Worcester, hosier, dealer and chapman, Aug. 11 and Sept. 1 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Stallard, Worcester; Suckling, Birmingham.—Fiat dated July 25.

WILLIAM PERKINS, Devonport, Devonshire, cabinet maker, dealer and chapman, Aug. 9 at 1, and Sept. 4 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Beer & Rundle, Devonport; Stogdon, Exeter; Penkivil, West-street, Finsbury-circus, London.—Fiat dated July 25.

JOHN LONGBOTTOM, Leeds, Yorkshire, machine and engine manufacturer, dealer and chapman, Aug. 14 and Sept. 4 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Payne & Co., Leeds; Hartley, Southampton-st., Bloomsbury, London.—Fiat dated July 27.

GOMER ROBERTS and ROBERT ROBERTS, Tanyclawdd, Denbighshire, coal and ironmasters, (carrying on business at Plasissa, Ruabon, Denbighshire, under the style or firm of Roberts & Co.), Aug. 20 and Sept. 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. James & Owen, Wrexham; Evans & Son, Liverpool; Oliver, Old Jewry, London.—Fiat dated July 10.

MEETINGS.

Anthony Knight, Westmeon, Southampton, miller, Aug. 21 at 3, Court of Bankruptcy, London, aud. ac.—*Benjamin J. Maunder*, Mark, Somersetshire, draper, Aug. 21 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thos. Hill*, Tremadoc, and *Henry Stock*, Portmadoc, Carnarvonshire, manufacturers of slate goods, Aug. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Milner*, Darlington, Durham, timber merchant, Aug. 21 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Steele* Newcastle-upon-Tyne, innkeeper, Aug. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. Pearson*, Costa Mill, Middleton, Yorkshire, miller, Aug. 21 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*Anthony Gardiner* the younger, Chepstow, Monmouthshire, timber merchant, Aug. 21 at 11, District Court of Bankruptcy, Bristol, div.—*Charles Reeves*, Bath, Somersetshire, marble mason, Aug. 21 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Anthony Knight, Westmeon, Southampton, miller, Aug. 21 at 3, Court of Bankruptcy, London.—*Thomas Sloper*, St. Ann's-place, Limehouse, Middlesex, auctioneer, Aug. 21 at half-past 2, Court of Bankruptcy, London.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 21.

Joseph Stelfox, Manchester, commission agent.—*John Frampton*, Cerne Abbas, Dorsetshire, money scrivener.—*John Armitage*, Linthwaite, Almondbury, Yorkshire, innkeeper.—*Joseph Rogers*, Shrewsbury, Shropshire, hop dealer.—*George Simons*, King's-square, Goswell-road, St. Luke's, Middlesex, watch manufacturer.—*Gardner Boggs*, Liverpool, merchant.—*C. Starks* the younger, Southampton, builder.—*R. Webster* the younger, Cornhill, London, chronometer maker.—*John Waite*, High Holborn, Middlesex, licensed victualler.—*John Cobb*, Northumberland-street, Strand, Middlesex, boarding-house keeper.

FIAT SUPERSEDED.

Samuel Henry Leah the younger, High-street, Kingsland, Middlesex, jeweller.

SCOTCH SEQUESTRATION.

William Wilson, Glasgow, brick and tile maker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Bond, Southleigh, Oxfordshire, licensed victualler, Aug. 25 at half-past 10, County Court of Oxfordshire, at Witney.—*Marcus Block*, King's Lynn, Norfolk, general dealer, Aug. 11 at 4, County Court of Norfolk, at King's Lynn.—*Thomas Berrington*, Derby, clerk in the Mineral Department of the Midland Railway Company, at Derby, Aug. 18 at 11, County Court of Derbyshire, at Derby.—*Danl. J. Rice*, Manchester, schoolmaster, Aug. 10 at 1, County Court of Lancashire, at Manchester.—*Alfred Hester*, Birmingham, builder, Aug. 3 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Cox*, Birmingham, glasscutter, Aug. 3 at 2, County Court of Warwickshire, at Birmingham.—*Henry Clark*, Ipswich, Suffolk, innkeeper, Aug. 16 at 10, County Court of Suffolk, at Ipswich.—*Abraham Nathan*, Sunderland near the Sea, Durham, clothier, Aug. 21 at 10, County Court of Durham, at Sunderland.—*John Tendoll*, Bedwellty, Monmouthshire, beer retailer, Aug. 23 at 10, County Court of Monmouthshire, at Tredegar.—*Henry Jenkins*, Clodock, Herefordshire, farmer, Aug. 24 at 10, County Court of Monmouthshire, at Abergavenny.—*James Woodsford*, Toller Porcorum, Dorsetshire, cordwainer, Aug. 22 at 12, County Court of Dorsetshire, at Dorchester.

Saturday, July 28.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Charles Labron, Bishopthorpe, Yorkshire, tobacco manufacturer, No. 71,180 C.; Wm. Purdon, assignee.—*Thos. L. Blight*, Woolwich, Kent, out of business, No. 22,729 T.; Robert Price Downes, assignee.—*James Bonwell*, Maryland Point, West Ham, Essex, clerk, No. 71,136 C.; John Catterall and William Catterall, assignees.—*Thomas Roberts*,

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Hingham, Norfolk, innkeeper, No. 71,183 C.; J. H. Brown, assignee. — *George Bennett*, Privett, Southampton, tailor, No. 70,576 C.; James Calvert, assignee.

Saturday, July 28.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Isaac Alexander, High Holborn, Middlesex, biscuit baker: in the Debtors Prison for London and Middlesex.—*J. Marshall*, Leyton, Essex, carpenter: in the Debtors Prison for London and Middlesex.—*H. W. G. Fischer*, Seymour-place, Camden-town, Middlesex, attorney's clerk: in the Debtors Prison for London and Middlesex.—*Charlotte Kopsch*, Wharton-street, Pentonville, Middlesex: in the Debtors Prison for London and Middlesex.—*Wm. Smith*, King-street, Cambridge-road, Mile-end, Middlesex, wholesale milliner: in the Debtors Prison for London and Middlesex.—*Henry Farren*, Waterford-road, Walham-green, Fulham, Middlesex, comedian: in the Queen's Prison.—*Thos. Bassett*, North-street, Spitalfields, Middlesex, foreman to a fruit salesman: in the Debtors Prison for London and Middlesex.—*Neville Daniell*, Albert-terrace, Westbourne-green, Middlesex, mechanical dentist: in the Debtors Prison for London and Middlesex.—*John Leaver*, Oldham-place, Bagnigge-wells-road, Middlesex, bed sacking manufacturer: in the Debtors Prison for London and Middlesex.—*James Fagan*, Crown-wharf, Pool-street, New North-road, Hoxton, Middlesex, painter: in the Debtors Prison for London and Middlesex.—*Richard Smith Newell*, Bridgewater-street, Somers-town, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Henry Ralph Cooper*, Ixworth, Suffolk, surgeon: in the Gaol of Bury St. Edmund's.—*Thos. Conway*, Stoke Abbott, near Beaminster, Dorsetshire, beer-house keeper: in the Gaol of Dorchester.—*John Morrell France*, Leeds, Yorkshire, commission agent: in the Gaol of York.—*Joseph Mortimer*, Daw-green, Dewsbury, Yorkshire, out of business: in the Gaol of York.—*James Swithenbank*, Pudsey, near Leeds, Yorkshire, clothier: in the Gaol of York.—*Charles Steel*, Hutton, near Brentwood, Essex, blacksmith: in the Gaol of Chelmsford.—*John Garth Thornton*, Leeds, Yorkshire, chemist: in the Gaol of York.—*George Wright*, Leeds, Yorkshire, hairdresser: in the Gaol of York.—*Edwin Bourne*, Brede, Sussex, agricultural labourer: in the Gaol of Lewes.—*Jonathan Greaves*, New Mill, near Holmfirth, Yorkshire, licensed victualler: in the Gaol of York.—*James Lewis*, Dragon's Pool, Peterchurch, Herefordshire, farmer: in the Gaol of Hereford.—*John Marshall*, Rastrick, near Huddersfield, Yorkshire, cloth finisher: in the Gaol of York.—*James Marshall*, Rastrick, near Huddersfield, Yorkshire, shoemaker: in the Gaol of York.—*Reuben Marshall*, Lower Moor, Haigh Fixby, near Huddersfield, Yorkshire, woollen twister: in the Gaol of York.—*John Yeadon*, Yeadon, near Leeds, Yorkshire, labourer: in the Gaol of York.—*Henry Sydney Brazier*, Oxford, tailor: in the Gaol of Oxford.—*William Gerrard*, St. Helen's, Lancashire, grocer: in the Gaol of Lancaster.—*John Hardley*, Manchester, tailor: in the Gaol of Lancaster.—*John Moulding*, Blackburn, Lancashire, beerseller: in the Gaol of Lancaster.—*James Copley*, Ashton-under-Lyne, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*William Foulds*, Blackburn, Lancashire, tea dealer: in the Gaol of Lancaster.—*Hargreaves Hargreaves*, Burnley, Lancashire, butcher: in the Gaol of Lancaster.—*William Hammond*, Hulme, Manchester, licensed victualler: in the Gaol of Lancaster.—*Isaac Jones*, Dwyrhiew, Manafon, Montgomeryshire, flannel manufacturer: in the Gaol of Montgomery.—*Edward Kenderdine*, Manchester, shoe manufacturer: in the Gaol of Lancaster.—*Robert Corlett*, Chorlton-upon-Medlock, Manchester, joiner: in the Gaol of Lancaster.—*Jas. Findlay*, Chorlton-upon-Medlock, Manchester, joiner: in the Gaol of Lancaster.—*John Cadwogan Powell*, Cefngorwydd, Llangammarch, Brecknockshire, farmer: in the Gaol of Brecon.—*George Jackes Strachan*, Manchester, maltster: in the Gaol of Lancaster.—*John Shaw*, Manchester, wood turner: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Derbyshire, at DERBY, *Aug.* 18 *at* 11.

John Bowden, Glossop, farmer.—*James Swindells*, Chapel-en-le-Frith, shoemaker.

At the County Court of Devonshire, at the CASTLE OF EXETER, *Aug.* 18 *at* 10.

James Dobbe, Southmolton, out of business.

At the County Court of Yorkshire, at YORK CASTLE, *Aug.* 17 *at half-past* 11.

John Atkinson, Hunslet, Leeds, builder.—*John William King*, Kiplin Mill, near Richmond, out of business.—*John Liversidge*, Briggate, Leeds, out of business.—*John Jennings* the younger, Upper Marsh, near Halifax, farmer's labourer.—*Henry Godbyhere*, Sheffield, silver plater.—*Wm. Morton*, Harrogate, shopkeeper.—*Robert Halmshaw*, Dewsbury, out of business.—*Thos. Jubb*, Sheffield, file smith.—*Abraham Haigh*, Huddersfield, woollen yarn spinner.—*Chas. Mortimer*, Great Horton, near Bradford, out of business.—*George Davison*, Leeds, commission agent.—*William Stansfield*, Idle, near Bradford, clothier.—*John Beaumont*, Hepworth, near Huddersfield, cloth manufacturer.—*Rich. Earnshaw*, Holmfirth, near Huddersfield, cloth manufacturer.—*Francis Kemp*, Leeds, out of business.—*Thomas Garforth*, Birstal, near Leeds, out of business.—*John Morrell France*, Leeds, lodging-house keeper.—*John Garth Thornton*, Leeds, out of business.—*John Naylor*, Leeds, cloth manufacturer.—*Thos. Cambidge*, York, out of business.—*Geo. Wright*, Leeds, out of business.—*John Yeadon*, Yeadon, near Leeds, hawker.—*David Avison*, Robert-town, near Dewsbury, coal leader.—*Jonathan Greaves*, New Mill, near Holmfirth, licensed victualler.—*Chas. Taylor*, Mirfield, near Dewsbury, common brewer.—*J. Haigh*, Delph, Saddleworth, bookkeeper.—*Joseph Jackson*, Brotherton, near Ferrybridge, slater.—*Jane Hodgson*, Briggate, Leeds, assistant innkeeper.—*John Bean*, Newgate, shoemaker.—*Jos. Morton*, Daw-green, near Dewsbury, labourer.—*James Swithenbank*, Pudsey, near Leeds, clothier.—*John Sykes Kay*, York, commercial traveller to patent medicine venders.—*Thos. Stoker*, York, butcher.—*Reuben Marshall*, Lower Moor, Haigh, Fixby, near Huddersfield, woollen twister.—*James Marshall*, Rastrick, near Huddersfield, shoemaker.—*John Marshall*, Rastrick, near Huddersfield, cloth finisher.

FRIDAY, AUGUST 3.

BANKRUPTS.

EDWARD MALLAN, late of Ludgate-hill, London, but now of Newington-place, Kennington, Surrey, dentist, dealer and chapman, Aug. 13 at half-past 2, and Sept. 14 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Swan, Gray's-inn-place.—Fiat dated July 31.

JOHN NOAK, Droitwich, Worcestershire, salt manufacturer, dealer and chapman, Aug. 11 and Sept. 11 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Reece, Birmingham.—Fiat dated July 26.

JOHN RANN the younger, Dudley, Worcestershire, printer, bookseller, and stationer, dealer and chapman, Aug. 11 and Sept. 15 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Boddington, Dudley.—Fiat dated Aug. 1.

WILLIAM CLIFF, Northwich, Cheshire, draper and grocer, dealer and chapman, Aug. 16 and Sept. 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Rowe, Liverpool; Sharpe & Co., Bedford-row, London.—Fiat dated July 30.

EDMUND CHADWICK, Oldham, Lancashire, cotton spinner, (carrying on business at Oldham aforesaid with Joseph Shaw and Abraham Gartside), Aug. 16 and Sept. 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Schofield, Oldham; Clarke & Co., 20, Lincoln's-inn-fields, London.—Fiat dated July 28.

MEETINGS.

John Johnson, Newcastle-upon-Tyne, banker, Aug. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thomas Wakefield*, Nottingham, merchant, Aug. 24 at 10, District Court of Bankruptcy, Nottingham, last ex.—*James Upton*, Wandsworth, Surrey, corn dealer, Aug. 22 at 1, Court of Bankruptcy, London, aud. ac.—*Fisher Alderton*, Manningtree, Essex, coach-builder, Aug. 24 at 11, Court of Bankruptcy, London, aud. ac.—*Chas. Smith*, Enfield, Middlesex, wine merchant, Aug. 22 at 11, Court of Bankruptcy, London, aud. ac.—*John Napthali Hart*, King-street, Finsbury-square, Middlesex, watch manufacturer, Aug. 22 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Rees*, Marshfield,

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Monmouthshire, carpenter, Aug. 31 at half-past 11, District Court of Bankruptcy, Bristol, and. ac.—*William Pickford* and *Henry Game Clapton*, Bristol, warehousemen, Aug. 24 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Aug. 28 at 11, div.—*Matthew Day*, Weston-super-Mare, Somersetshire, miller, Sept. 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Peter Richard*, Liverpool, merchant, Sept. 3 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Sept. 4 at 11, div.—*Joseph Bannister*, Lockwood, Aldmondbury, Yorkshire, thread manufacturer, Aug. 27 at 12, District Court of Bankruptcy, Leeds, and. ac.; Aug. 28 at 12, div.—*Thomas Rushforth*, Hunslet, Leeds, Yorkshire, dealer in wines and spirits, Aug. 27 at 11, District Court of Bankruptcy, Leeds, and. ac.; Aug. 28 at 12, div.—*Silvester Sill*, Worcester, draper, Aug. 28 at 12, District Court of Bankruptcy, Birmingham, and. ac.; Aug. 30 at 12, div.—*John Edmunds Curtis*, Newport Pagnel, Buckinghamshire, printer, Aug. 24 at 1, Court of Bankruptcy, London, div.—*John G. Fuller*, St. James-street, Middlesex, and Streatham, Surrey, wine merchant, Aug. 24 at 12, Court of Bankruptcy, London, div.—*W. H. Hyde*, Newcastle-under-Lyme, and Hanley, Stoke-upon-Trent, Staffordshire, printer, Sept. 18 at 10, District Court of Bankruptcy, Birmingham, and. ac. and fin. div.—*Geo. Hawkins*, Bristol, victualler, Sept. 4 at 11, District Court of Bankruptcy, Bristol, div.—*John Jones*, Chepstow, Monmouthshire, wine merchant, Sept. 11 at 12, District Court of Bankruptcy, Bristol, div.—*Richard Lewis*, Wootton-under-Edge, Gloucestershire, woollen manufacturer, Aug. 30 at 12, District Court of Bankruptcy, Bristol, div.—*John Pearson*, Middleton, Yorkshire, miller, Aug. 28 at 12, District Court of Bankruptcy, Leeds, div.—*Francis Stamp*, Kingston-upon-Hull, stock broker, Aug. 29 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

G. Morton, New-road, Whitechapel-road, Middlesex, draper, Aug. 24 at 1, Court of Bankruptcy, London.—*Isaac Terry*, Haymarket, Middlesex, watch manufacturer, Aug. 24 at half-past 11, Court of Bankruptcy, London.—*J. Reid*, Edgeware-road, Middlesex, and Bexley-heath, Woolwich, Rochester, Chatham, and Maidstone, Kent, draper, Aug. 22 at 12, Court of Bankruptcy, London.—*R. Stocker*, Bath, Somersetshire, licensed victualler, Sept. 4 at 11, District Court of Bankruptcy, Bristol.—*C. Shackell*, Bristol, tailor, Aug. 30 at 11, District Court of Bankruptcy, Bristol.—*Robt. Taylor Grundy*, Bury, Lancashire, money scrivener, Aug. 22 at 11, District Court of Bankruptcy, Manchester.—*P. G. N. Clarke*, Barton-upon-Irwell, Lancashire, sculptor, Aug. 28 at 12, District Court of Bankruptcy, Manchester.—*John Wilkinson*, Liverpool, brass-founder, Aug. 27 at 11, District Court of Bankruptcy, Liverpool.—*William Dalgleish*, Liverpool, spirit merchant, Aug. 24 at 11, District Court of Bankruptcy, Liverpool.—*John Harrison*, Loughborough, Leicestershire, clothier, Aug. 24 at 10, District Court of Bankruptcy, Nottingham.—*Thomas Moore*, Derby, coachmaker, Aug. 24 at 10, District Court of Bankruptcy, Nottingham.—*Geo. Thorney*, Wolverhampton, Staffordshire, carrier, Aug. 28 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shown to the contrary on or before Aug. 24.

Stephen Heen and *Wm. Langford*, John-street, Pentonville, Middlesex, brewers.—*John Jones*, Holyhead, Anglesey, innkeeper.—*W. H. Higgitt*, Wolverhampton, Staffordshire, pawnbroker.—*Wm. Jones*, Manchester, stationer.—*William Oakes*, Oldham, Lancashire, watchmaker.—*E. Cato*, Hartlepool, Durham, innkeeper.—*Wilson Forster*, Liverpool, merchant.—*Wm. M. Hill*, Charlton-place, Islington, Middlesex, builder.—*John Baskerville*, Ludlow, Shropshire, linendraper.—*A. T. Webb*, Great St. Helen's, London, wine merchant.—*Andrew White*, Bishopwearmouth, Durham, coalowner.

PARTNERSHIP DISSOLVED.

Geo. M. Frankham and *John B. Dixon*, Moorgate-street, London, attornies and solicitors.

SEQUESTRATIONS.

James M'Drain, Glasgow, tavern keeper.—*A. M'Gilvray*, Paisley, baker.—*Robert Adam*, Edinburgh, keeper of furnished lodgings.—*John Crawford*, Edinburgh, tailor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel Braznell, Dudley, Worcestershire, carter, Aug. 16 at 2, County Court of Worcestershire, at Dudley.—*Henry Mascall*, Northiam, near Hurst-green, Sussex, draper, Aug. 14 at 1, County Court of Surrey, at Guildford.—*Thomas Beard*, Dogdale-farm, near Hednesford, Cannock, Staffordshire, farmer, Aug. 17 at 12, County Court of Staffordshire, at Wolverhampton.—*George Tate Young*, Leeds, Yorkshire, out of business, Aug. 22 at 10, County Court of Yorkshire, at Leeds.—*Joseph Connop*, Coventry, Warwickshire, shoemaker, Aug. 29 at 2, County Court of Warwickshire, at Coventry.—*Thomas Prewett*, Bristol, baker, Aug. 27 at 11, County Court of Gloucestershire, at Bristol.—*Charles Thwaites*, Coventry, Warwickshire, out of business, Aug. 29 at 2, County Court of Warwickshire, at Coventry.—*Frederick Cordeux*, Liverpool, beer-house keeper, Aug. 15 at 10, Liverpool District County Court, at Liverpool.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Henry Turner, Hulme, Manchester, out of business, No. 71,340; Daniel Sandbach and Charles Eaton, assignees.—*Thomas Westall*, Manchester, auctioneer, No. 71,341; Thos. Bennett, assignee.—*John Hargreaves*, Cowling, near Colne, Lancashire, weaver, No. 71,278; James Townsend, assignee.—*James Walkwork*, Bury, Lancashire, publican, No. 71,236; Thomas Sawdon, assignee.—*John Bradley*, Liverpool, out of business, No. 70,700; Luke Swallow, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statutes:—

At the County Court of Lancashire, at LANCASTER, *Aug.* 11 *at* 11.

Junius Higson, Manchester, plumber.—*William Gerrard*, St. Helen's, grocer.—*George Wharton*, Manchester, furniture broker.—*John Moulding*, Blackburn, out of business.—*James Mead*, Liverpool, agent to a licensed victualler.—*Wm. Hammond*, Hulme, Manchester, out of business.—*William Foulds*, Blackburn, hatter.—*Daniel Birtles*, Manchester, out of business.—*Wm. Turner Threlfall*, St. Helen's, out of business.—*Thomas Till*, Manchester, manager of a billiard-room.—*David Prar*, Manchester, out of business.—*H. Hargreave*, Burnley, out of business.—*Jas. Findlay*, Chorlton-upon-Medlock, Manchester, joiner.—*Thomas Thurston*, Manchester, railway porter.—*Sally Mandesley*, widow, Little Bolton, Bolton-le-Moors, out of business.—*Wm. Murwell*, Manchester, commission agent.—*George Jackes Strachan*, Manchester, out of business.—*Alex. Scott*, Manchester, lithographer.—*Edw. Kenderdine*, Manchester, cutter to a bootmaker.

At the County Court of Gloucestershire, at BRISTOL, *Aug.* 28 *at* 11.

John Llewellin, Bristol, attorney at law.

At the County Court of Warwickshire, at COVENTRY, *Aug.* 29.

William Hanson, Birmingham, optician.—*Wm. Ffrench*, Birmingham, currier.

At the County Court of Cambridgeshire, at CAMBRIDGE, *Aug.* 14 *at* 3.

Samuel Moore, Cambridge, publican.—*Preston Pamment*, Burwell, bricklayer.—*Joseph Scaplehorn*, Cambridge, conducting a public-house for the brewer.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed John Clowes, Gent., of Yarmouth, in the county of Norfolk, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Norfolk, also in and for the county of Suffolk.

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A SELECTION of PRECEDENTS from modern Manuscript Collections and Drafts of actual Practice, forming a System of Conveyancing; with Dissertations and Practical Notes. By the late W. M. BYTHEWOOD, Esq., continued and completed by THOMAS JARMAN, Esq., of the Middle Temple, Barrister at Law. The Third Edition, very considerably enlarged, by GEORGE SWEET, Esq., Barrister at Law.

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The Jurist

No. 657—Vol. XIII. AUGUST 11, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
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Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, AUGUST 11, 1849.

In the pages of a contemporary* we find a severe criticism on a bill brought during the late Session into Parliament, which we notice, not so much with reference to the bill itself, as to the efforts made by our learned contemporary to defend and uphold the jury system. "We have never shewn," says the learned writer, "an undue disposition to oppose any alteration in the law which was recommended by a reasonable chance of benefit to the country; but we are quite unable to keep pace with the restless innovations of the Attorney-General, and we owe no apology for denouncing this new measure of his as a very needless and mischievous attack on trial by jury. On what conceivable ground does he defend this demolition of one-half of its scope and effect? *For a thousand years and upwards it has been esteemed a main bulwark of public justice and popular safety.* If it be useless in half the cases to which it has hitherto been extended, how came it to pass that no one ever found that out till Sir J. Jervis brought in his bill this Session for its semi-destruction?"

To this it might be answered, that for at least five hundred years coats of mail were esteemed a necessary instrument of defence; yet the time came when they ceased to be so, and ceased to be thought so, and the fact of their previous reputation was not thought to afford a sufficient ground for perpetuating their use. For centuries before the year 1833 fines and recoveries, and for centuries also before the year 1844 terms for years, were esteemed a main bulwark of safety to the landowner; yet both of these time-honoured institutions, if we may so call them, came to an end, and landowners are not the worse. Again: London was, for we know not how many hundred years, without any drainage whatever; and now, for no inconsiderable time, she has enjoyed partially her present subterranean sewerage. Was it ever a tenable argument for not giving London her present sewerage, that she had been so long without any? or is it now a tenable argument for not adopting a better system of sewerage, that London has for some very long time been in the habit of relying on the present one?

In truth, of all arguments, that ab antiquitate simply is the most irrational, the most unfit to be addressed to men. If any inference could be safely or justly drawn from the mere fact of an institution having remained unchanged for a thousand years, it should rather be that it must have ceased to be applicable, than that it is of great value. For as it is unquestionable that men, or at least Anglo-Saxon men, do not remain stationary, so that the state of society now is totally different from that of the days of Alfred, it should rather be concluded that the institutions which were created by, and adapted to, the wants of our rude forefathers, are not adapted to a state of society infinitely more complicated, infinitely more refined. In reality, however, the argument of antiquity is quite worthless for any other purpose than that of historical reverence. To shew that an institution has been maintained, by a people of any intelligence and energy, for a long time, is certainly an argument in favour of the presumption, that that institution possessed merit at some time, and probably for a long time, otherwise the people would have destroyed it; but, as an argument either for or against its actual and existing value, it is, as we have said, wholly worth-

* Law Magazine for August, p. 155. "The Bill against Trial by Jury."

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less and delusive, and only fit to be addressed to persons without education and without reflection.

With regard to the actual and existing merits of the jury system of trial, we have on more than one occasion expressed our opinion in this journal. We hold it to be a relic of ruder times, which it is quite a mistake to perpetuate in our system of administering justice. We are not here to inquire when it was a beneficial institution; we assume that it has been so for some given time, but we conceive its value has long been equal to that of fines and recoveries, and coats of mail; in other words, whatever it may have been, it has long ceased to be useful. The difficult cases that have to be decided at this day—and it is only the difficult ones that test the efficiency of the tribunal—are principally cases complicated both as to the law and the facts: cases, particularly in criminal matters, in which frequently all the material evidence is circumstantial, and requiring considerable acumen and knowledge to enable the jury to elicit the truth. Matters involving medical, chemical, and general scientific knowledge; matters requiring the habit of investigation of an educated mind; matters presented to the jury by men of the most highly educated and sharpened intellects, often in a mode studiously destined to produce mystification—these are the subjects on which juries are called upon to exercise their functions. And of what sort of men are juries composed? Usually of persons with scarcely sufficient education to understand the ordinary conversational language of educated men, and quite incapable of any close or acute reasoning. But this, it will be said, is an objection to the mode of composing juries, not to juries themselves. It is; but we are dealing with the jury system as it exists, and not with an ideal jury system, which it may be impossible to conjure into existence. But, supposing juries to be formed of men of competent education and intelligence, of what use is such a body at all? It is clear that it cannot be necessary on the ground of a judge being *incapable* of collecting the facts; if that were so, then a jury would be as essential to courts of equity and bankruptcy as to a court of common law: to none of which it is thought or found to be necessary. But it is said to be requisite for the protection of the public—to stand, as it is called, between the Crown and the subject. To this it may be answered, in the first place, that the only sort of case in which there could be any practical necessity, for the protection of the subject, for a jury to stand between him and the Crown, would be political trials; and these may be dismissed with the observation, that, since the judges have been independent of the Crown, the danger is rather the other way, of judges leaning towards a political offender, from notions of humanity, or from a love of popularity, a thing which they may win or lose, than of leaning towards the Crown, to obtain a favour of which they are quite independent. In modern times, too, the great power of public opinion, and, we may add, the higher tone of individual integrity, combine to make judges shrink from any intentional act of injustice.

Then, with regard to all cases, other than political cases, what is meant by the jury protecting the subject? Primâ facie the judge can have no more leaning for or against one of two contending parties than a jury; and if it be said that the sympathies of a judge may be expected to be with the richer or more refined of the parties, the answer is, that the sympathies of the jury may be expected to be the other way, and therefore that the end which is pretended to be sought is not attained; the object not being that the poor or the vulgar should have an unfair advantage, any more than the rich and refined, but that all shall have justice. To this it may be added, that in ninety-nine cases out of a hundred neither party is of sufficient note or importance for the judge to trouble his head about him personally; and that there is much less chance of a judge being swayed by personal or local prejudices or affections, than of a jury being so swayed, keeping particularly in mind that the chances of wrong bias are, as between a jury and a judge, as twelve to one.

As regards the feelings of the people themselves about jury trial, it is difficult at present to ascertain what they are. The fact that we noticed in our last number, relating to the small number of cases, under the County Court jurisdiction, in which resort has been had to a jury, is of some significance, as shewing, at least, no overweening reliance on the justice of juries, as compared to that of judges, in a considerable class of her Majesty's litigants. It is, of course, not conclusive. Another fact of great importance, as regards the views of litigants of the wealthier kind, may be noticed, viz. that in all the complaints that the public make against the Court of Chancery, no one has ever thought of including a complaint that it is not provided with juries to try its facts.

We believe, that in almost all cases affecting civil rights of any amount or value, the parties would themselves greatly prefer the decision of judges than of juries on the facts, relying more on their intelligence, and not less on their integrity. We believe, further, that the vitality of trial by jury is thoroughly exhausted; that it is ripe for destruction; and that when it has been destroyed, men will marvel, as they have done in regard to many other worn-out institutions, that they should so long have thought the welfare of the state depended on a thing so utterly without force.

London Gazettes.

TUESDAY, August 7.

BANKRUPTS.

SAMUEL HENRY LEAH the younger, Romford, Essex, auctioneer, Aug. 17 and Sept. 14 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Ashley, 9 Shoreditch.—Fiat dated Aug. 3.

CHARLES COTTON BUTTERFIELD, Petersfield, Southampton, banker, dealer and chapman, (trading under the name and style of Butterfield & Co.), Aug. 22 at 2, and Sept. 25 at half-past 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Holme & Co., New-inn, Strand.—Fiat dated July 26.

JAMES WARDLE, Chesterton, near Newcastle-under-Lyme, Staffordshire, coal and ironstone master, dealer and chapman, Aug. 18 and Sept. 15 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Ward, Stafford; Smith, Birmingham.—Fiat dated Aug. 1.

GEORGE DAVISON, Newcastle-upon-Tyne, banker, grocer, dealer and chapman, Aug. 21 at half-past 10, and Sept. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Jobling & Fleming, Newcastle-upon-Tyne; Bell & Co., 9, Bow-churchyard, London.—Fiat dated July 20.

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WILLIAM TOMLINSON, Hinckley, Leicestershire, innkeeper, victualler, dealer and chapman, Aug. 21 and Oct. 2 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Cowdell, jun., Hinckley; Smith, Birmingham.—Fiat dated July 31.

JEREMIAH SMITH, Rugeley, Staffordshire, scrivener, dealer and chapman, Aug. 21 and Sept. 18 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Palmer, Rugeley; Smith, Birmingham.—Fiat dated July 27.

JOHN SMITH, New Sleaford, Lincolnshire, wharfinger, coal dealer, and auctioneer, Aug. 17 and Sept. 21 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Brown, Nottingham.—Fiat dated July 30.

HENRY RUSSELL, Tor, Tormoham, Devonshire, innkeeper, Aug. 15 and Sept. 12 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzell; Sols. Hooper, Exeter; Fox, 40, Finsbury-circus, London.—Fiat dated July 23.

ROBERT RABY, Preston, Lancashire, hatter, dealer and chapman, Aug. 17 and Sept. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Blackhurst & Son, Preston; Mayhew, 26, Carey-street, Lincoln's-inn, London.—Fiat dated July 31.

Meetings.

Lazarus Congdon, Spring-street, Paddington, Middlesex, painter, Aug. 28 at half-past 12, Court of Bankruptcy, London, div.; at half-past 1, last ex.—*John Myers Levine* and *Mark Levison*, Norwich, jewellers, Aug. 21 at half-yast 12, Court of Bankruptcy, London, last ex. of *John Myers Levine*; Aug. 29 at 12, aud. ac. joint est.—*John Cresswell Jobling*, Newton-hall, Bywell St. Peter, Northumberland, smelter of lead ore, Aug. 30 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Benjamin Wright*, Coalbrookdale, Madeley, Shropshire, coach proprietor, Aug. 21 at 10, District Court of Bankruptcy, Birmingham, last ex.—*Chas. Carter*, Rochford, Essex, ironmonger, Aug. 29 at 1, Court of Bankruptcy, London, aud. ac.—*John Bessell*, Farringdon-st., London, glass merchant, Aug. 29 at 11, Court of Bankruptcy, London, aud. ac.—*Decimus Field*, Frome, Somersetshire, linendraper, Aug. 30 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Sept. 4 at 12, div.—*Thomas Dubberley*, Monmouth, clock maker, Sept. 14 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*Robert Wake*, Kingston-upon-Hull, merchant, Aug. 29 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Aug. 29 at half-past 10, div.—*George Burdis*, Newcastle-upon-Tyne, banker, Aug. 30 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Sydney Pilling* and *Robert Green Watson*, Gateshead, Durham, wine merchants, Aug. 31 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. E. Smith*, *J. Rait Beard*, and *R. Tew Smith*, Cheapside, London, warehousemen, Aug. 28 at 11, Court of Bankruptcy, London, div.—*Thomas Williams*, Fenchurch-st., London, merchant, Aug. 28 at half-past 11, Court of Bankruptcy, London, div.—*Samuel Knight*, Primethorpe, Broughton Astley, Leicestershire, hosier, Aug. 30 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Ferdinand Christian Veith*, Kingston-upon-Hull, merchant, Aug. 29 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, div.—*Thomas Skipworth*, Belton, Lincolnshire, clerk, Aug. 29 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Stephen Dancy, Brighton, Sussex, builder, Aug. 31 at 11, Court of Bankruptcy, London.—*James Silvester*, Gloucester-street, Queen-square, and Hart-street, Covent-garden, Middlesex, pickle and preserve manufacturer, Aug. 31 at 1, Court of Bankruptcy, London.—*Charles Carter*, Rochford, Essex, ironmonger, Aug. 29 at 1, Court of Bankruptcy, London.—*John Bessell*, Farringdon-street, London, glass merchant, Aug. 29 at 11, Court of Bankruptcy, London.—*W. P. Martin*, Bath, wine and spirit merchant, Aug. 31 at 11, District Court of Bankruptcy, Bristol.—*W. Wilkinson*, Birmingham, grocer, Aug. 30 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 28.

John Phillipps, Upper Bullingham, Herefordshire, banker.—*David Turner*, Sheffield, Yorkshire, innkeeper.—*George Burton*, Bradford, Yorkshire, engraver.—*Charles Dearlove*, Knaresborough, Yorkshire, grocer.—*Geo. Kinnell*, Bolton-terrace, Edward-street, Walworth, Surrey, spinner.—*Henry Rogers*, Whitchurch, Southampton, coal merchant.—*James Warne*, Newport, Isle of Wight, Southampton, grocer.—*Chas. Hall*, Hereford, linendraper.—*James Robinson*, Slough, Buckinghamshire, grocer.—*Benjamin Thompson*, Derby, woollen draper.

Fiat Annulled.

Edward Gibson and *George Sturt*, St. Alban's, Hertfordshire, bankers.

Scotch Sequestrations.

Alexander Bell, Dundee, merchant.—*George Clapperton*, Auchindinny Mains, Lasswade, Edinburgh, farmer.—*Colin Wilson*, Dalkeith, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Hannah Gorman, Liverpool, milliner, Aug. 13 at 10, Liverpool District County Court, at Liverpool.—*George Coates*, Dudley, Worcestershire, confectioner, Aug. 16 at 2, County Court of Worcestershire, at Dudley.—*Samuel Hughes*, Salford, Lancashire, clerk, Aug. 29 at 12, County Court of Lancashire, at Salford.—*Alexander Franklin*, Sheerness, Kent, grocer, Aug. 18 at 10, County Court of Kent, at Sheerness.—*Amos Rowlinson*, Lower Whitley, Cheshire, brickmaker, Sept. 13 at 10, County Court of Lancashire, at Warrington.—*J. B. Luson*, Sheerness, Kent, clerk in her Majesty's Dockyard, Sheerness, Aug. 18 at 10, County Court of Kent, at Sheerness.—*T. W. Wellington*, Sheerness, Kent, clerk in the Royal Navy, Aug. 18 at 10, County Court of Kent, at Sheerness.—*James Clements*, Canterbury, Kent, shoemaker, Aug. 13 at 10, County Court of Kent, at Canterbury.—*W. Dickson*, Kenilworth, Warwickshire, out of business, Aug. 27 at 12, County Court of Warwickshire, at Warwick.—*John Ord*, West Woodburn, Northumberland, draper, Aug. 25 at 10, County Court of Northumberland, at Bellingham.—*Thos. Dollery*, Southampton, hotel keeper, Aug. 29 at 10. County Court of Hampshire, at Southampton.—*E. Phillips*, Withycombe Rawley, Devonshire, miller, Aug. 18 at 10, County Court of Devonshire, at Exeter.—*Thomas Frankland*, Reading, Berkshire, farming bailiff, Aug. 22 at half-past 10, County Court of Berkshire, at Reading.—*Richard Holloway*, Reading, Berkshire, accountant, Aug. 22 at half-past 10, County Court of Berkshire, at Reading.—*Thomas Jackman*, Whippingham, Isle of Wight, Hampshire, grocer, Aug. 31 at 10, County Court of Hampshire, at Newport.—*Wm. Atwell*, Reading, Berkshire, clog maker, Aug. 22 at half-past 10, County Court of Berkshire, at Reading.—*Stephen House*, Monkseaton, Northumberland, shoemaker, Aug. 20 at 10, County Court of Northumberland, at North Shields.

Saturday, Aug. 4.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Edmunds, Skenfrith, Monmouthshire, farmer, No. 71,174 C.; Thomas Jeffrys and Wm. Jones, assignees.—*Wm. J. Herbert*, Brighton, Sussex, shoemaker, No. 71,262 C.; R. Swift, assignee.—*John Llewellin*, Bristol, attorney at law, No. 71,055 C.; Henry Lancaster, assignee.—*James Cathie*, Rochester-row, Westbourne-grove, Middlesex, plasterer, No. 60,615 T.; Joseph Drake, assignee.—*Thomas Price*, Colchester, Essex, banker's clerk, No. 71,226 C.; Henry Mills and Charles Gaimes, assignees.—*Wm. Hogg*, Chatham, Kent, shipwright, No. 71,182 C.; Henry Parton and Wm. Thomas Cooper, assignees.—*John Layton*, Leeds, Yorkshire, fruiterer, No. 71,196 C.; Daniel Whitworth, assignee.—*Susan Grant*, Union-place, New-road, Regent's-park, Middlesex, widow, No. 28,787 T.; Samuel Sturgis, gentleman, new assignee, in the place of John Phillips, deceased.

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Saturday, Aug. 4.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Cowderoy the younger, St. Martin's-lane, Charing-cross, Middlesex, grocer: in the Queen's Prison.—*Nicholas F. Wibert*, Vauxhall-gardens, Vauxhall, Surrey, manager and director of the said gardens: in the Gaol of Horsemonger-lane.—*J. H. S. Baker*, Greek-street, Soho-square, Middlesex, appraiser: in the Queen's Prison.—*John Brown*, St. John-street, Clerkenwell, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Daniel Alsop*, High-street, Fulham, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*Chas. W. Plunkett*, Gloucester-street, Queen-square, Bloomsbury, Middlesex, foreman to a ladies' shoe manufacturer: in the Debtors Prison for London and Middlesex.—*James G. Peacock*, Circus, Minories, City, accountant: in the Debtors Prison for London and Middlesex.—*George Skinner*, Mount-row, Westminster-road, Surrey, dyer: in the Queen's Prison.—*James Sanders*, London-road, Southwark, Surrey, cheesemonger: in the Gaol of Surrey.

(On Creditor's Petition).

Stephen Fosdick, Crawford-passage, Clerkenwell, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Joseph Codgbrook Curtis, Oxford, carpenter: in the Gaol of Oxford.—*Sally Maudesley*, Little Bolton-le-Moors, Lancashire, widow, out of business: in the Gaol of Lancaster.—*David Prax*, Manchester, tobacconist: in the Gaol of Lancaster.—*Alexander Scott*, Manchester, lithographer: in the Gaol of Lancaster.—*Wm. Taylor*, Preston, Lancashire, plasterer: in the Gaol of Lancaster.—*Wm. Turner*, Threlfall, St. Helen's, Lancashire, ironmonger: in the Gaol of Lancaster.—*Thomas Till*, Manchester, manager of a billiard-room: in the Gaol of Lancaster.—*Edward Preston Alcock*, Manchester, licensed victualler: in the Gaol of Lancaster.—*John Bigwood*, Merthyr Tydvil, Glamorganshire, confectioner: in the Gaol of Cardiff.—*Jos. Dixon*, Manchester, ironmonger: in the Gaol of Lancaster.—*Wm. Ives*, Papisford, Cambridgeshire, gatekeeper on the Newmarket Railway: in the Gaol of Cambridge. *John Lewis*, Ysinfach, Merthyr Tydvil, Glamorganshire, saddler: in the Gaol of Cardiff.—*Wm. Maxwell*, Chorlton-upon-Medlock, Manchester, commission agent: in the Gaol of Lancaster.—*Wm. Oke*, Broadwood-widger, Devonshire, husbandman.—*Geo. Payne*, Blackburn, Lancashire, licensed victualler: in the Gaol of Lancaster.—*William Wright*, Liverpool, beerhouse keeper: in the Gaol of Lancaster.—*Elias Flitcroft*, Blackburn, Lancashire, joiner: in the Gaol of Lancaster.—*William Hayward*, Maidenhead, Berkshire, innkeeper: in the Gaol of Reading.—*Henry Munro*, Dover, Kent, grocer: in the Gaol of Dover.—*Wm. Robinson Pye*, Newcastle-upon-Tyne, bottle manufacturer: in the Gaol of Newcastle-upon-Tyne.—*Adam Shiell*, Newcastle-upon-Tyne, flour dealer: in the Gaol of Newcastle-upon-Tyne.—*Kenelm Chandler*, Gravesend, Kent, plumber: in the Gaol of Maidstone.—*Robert Lloyd*, Bristol, carpenter: in the Gaol of Bristol.—*Thos. Edwin Roper*, Milton-next-Gravesend, Kent, builder: in the Gaol of Maidstone.—*Wm. Wilcock*, Eury, Lancashire, grocer: in the Gaol of Lancaster.—*Richard Wilkes*, Woodstock, Oxfordshire, coachmaker: in the Gaol of Oxford.—*Matthew Atkinson*, Reading, Berkshire, sawyer: in the Gaol of Reading.—*Joseph Phillips Corbett*, Kingswinford, Staffordshire, maltster: in the Gaol of Stafford.—*John Dearden*, Pinfold, near Rochdale, Lancashire, cotton spinner: in the Gaol of Lancaster.—*Samuel Hallen*, Burslem, Staffordshire, potter: in the Gaol of Stafford.—*Wm. Locker*, Bridport, Dorsetshire, earthenware dealer: in the Gaol of Dorchester.—*Wm. Lowcay*, Melcombe Regis, Dorsetshire, retired commander in the Royal Navy: in the Gaol of Dorchester.—*J. Mayoh*, Bolton-le-Moors, Lancashire, grocer: in the Gaol of Lancaster.—*Fred. Newman*, Gosport, Hants, assistant grocer: in the Gaol of Winchester.—*Elias Barter* the younger, Buckfastleigh, Devonshire, husbandman: in the Gaol of St. Thomas the Apostle.—*Paul Jeavons*, Birmingham, general japanner: in the Gaol of Warwick.—*Francis Lang Palmer*, Broadwood-widger, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.

County Court of Lancashire, at Lancaster. An assignee has been appointed in the following Case:—

Wm. Inglis, Liverpool, merchant, No. 71,387; Robert Henderson Robertson, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, ***Aug.*** 23.

Jos. Codgbrook Curtis, Oxford, carpenter.—*Rich. Wilks*, Oxford, farmer.—*Henry Sydney Brazier*, Oxford, tailor.

At the County Court of Kent, at DOVER, ***Aug.*** 25 ***at*** 11.

Henry Munro, Dover, grocer.

At the County Court of Essex, at CHELMSFORD, ***Aug.*** 22 ***at*** 12.

Charles Steel, Hutton, near Brentwood, blacksmith.

At the County Court of Glamorganshire, at CARDIFF, ***Aug.*** 22.

John Bigwood, Merthyr Tydvil, confectioner.—*John Lewis*, Merthyr Tydvil, saddler.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, ***Aug.*** 23 ***at*** 10.

Lewis Cohen, Newcastle-upon-Tyne, cap manufacturer.—*Solomon Cohen*, Newcastle-upon-Tyne, cap manufacturer.—*Wm. Robinson Pye*, Newcastle-upon-Tyne, out of business.—*Adam Shiell*, Newcastle-upon-Tyne, baker.

At the County Court of Warwickshire, at WARWICK, ***Aug.*** 27.

Richard Broster, Endon, Cheshire, bookkeeper.—*Henry James Marmion Bramall*, Tamworth, Staffordshire, articled clerk to an attorney.

INSOLVENT DEBTORS' DIVIDENDS.

Edward Price, Titherley, Whitborne, Herefordshire, shoemaker: 17*s.* 8*d.* in the pound.—*Joseph Cook*, Waddington, near Clitheroe, Lancashire, labourer: 5¾*d.* in the pound.—*Henry Yeates*, St. Catherine's-terrace, Guildford, Surrey, surveyor of taxes: 7*d.* in the pound.—*John Ridehalgh*, Halifax, Yorkshire, worsted warp manufacturer: 4*s.* 1*d.* in the pound.—*Ralph Birch*, Buxton, Derbyshire, baker: 3*s.* 6*d.* in the pound, (making 15*s.* 9*d.*)—*John Andrew Anderson*, Park-street, Greenwich, Kent, clerk in the Royal Hospital: 7*s.* 1½*d.* in the pound, (making 20*s.*)—*John William Astley*, Euston-grove, Euston-square, Middlesex, Esq.: 7*s.* 2½*d.* in the pound.—*George Heppel*, Elvet-bridge, Durham, shoemaker: 1*s.* 5½*d.* in the pound.—*Wm. Watson*, St. Osyth, Essex, corn merchant: 3*s.* 7½*d.* in the pound.—*Benjamin Amsden*, St. Alban's, Herts, straw hat manufacturer: 3*d.* in the pound.—*Zaccheus Fayerman*, Great Yarmouth, Norfolk, captain half-pay in the Royal Marines: 1*s.* 1*d.* in the pound.—*Thomas Penney*, Sheerness, Kent, foreman shipwright in the dockyard: 3*s.* 5½*d.* in the pound, (making 11*s.*)—*Edward Taylor Weale*, Kingston-upon-Hull, commander in the Navy: 7*s.* 0½*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

Ann Knoll, Kingston-upon-Hull, widow, Aug. 14, at Bower's, 6, Tokenhouse-yard, Lothbury: 8*s.* 5*d.* in the pound.

FRIDAY, AUGUST 10.

BANKRUPTS.

WILLIAM PARFITT, late of West-street, Gravesend, Kent, licensed victualler, but now of Wellington-st., Gravesend, Kent, builder, dealer and chapman, Aug. 17 at half-past 12, and Sept. 21 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Steele, 1, Lincoln's-inn-fields.—Fiat dated Aug. 7.

DAVID NUNN FISHER, Lynn Regis, Norfolk, music-seller, dealer and chapman, Aug. 17 at 12, and Sept. 21 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Stevens & Satchell, 6, Queen-street, Cheapside.—Fiat dated Aug. 4.

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BENJAMIN LEACH, Watford, Hertfordshire, saddler and harness maker, dealer and chapman, Aug. 18 at 1, and Sept. 21 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Warrand, 7, Castle-street, Holborn.—Fiat dated Aug. 9.

SARAH CLABBON, late of Cambridge, and since of Stapleford, Cambridgeshire, newspaper proprietor, printer, dealer and chapman, Aug. 27 at 12, and Sept. 24 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Hall, Brunswick-row, Queen-square, Middlesex.—Fiat dated May 16.

CHARLES NIXON, Birmingham, glass and picture-frame maker, dealer and chapman, Aug. 18 and Sept. 15 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Spencer & Rollings, Birmingham.—Fiat dated Aug. 3.

JOHN DOLPHIN, Hunter House, near Blanchland, Durham, banker, dealer and chapman, Aug. 21 and Sept. 25 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Cram, Newcastle-upon-Tyne; Plumptre, Temple, London.—Fiat dated July 27.

JOHN SORBY, Sheffield, Yorkshire, steel melter and manufacturer, dealer and chapman, Aug. 25 at 12, and Oct. 6 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Broadbent, Sheffield; Tattershall, Great James-street, London.—Fiat dated Aug. 1.

JOSEPH JACKSON, Talwrn Esclasham Above, near Wrexham, Denbighshire, farmer, dealer and chapman, Aug. 23 and Sept. 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Bremner, Liverpool; Johnson & Co., Temple, London.—Fiat dated Aug. 6.

Meetings.

Fisher Alderton, Manningtree, Essex, coach builder, Aug. 24 at 11, Court of Bankruptcy, London, last ex.—*Charles Lamdin*, Newbury, Berkshire, upholsterer, Aug. 21 at 1, Court of Bankruptcy, London, last ex.—*John Edmunds Curtis*, Newport Pagnel, Buckinghamshire, printer, Aug. 21 at 11, Court of Bankruptcy, London, last ex.—*Samuel Seal*, Little Queen-st., Holborn, Middlesex, china dealer, Sept. 6 at 12, Court of Bankruptcy, London, aud. ac.; Sept. 8 at 12, div.—*Mary Jane Shephard*, Liverpool, victualler, Sept. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Sept. 6 at 11, div.—*Henry Hilliar* the younger, Birkenhead, Cheshire, innkeeper, Sept. 3 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Wesley Hooper*, Holloway-road, Islington, Middlesex, statuary, Aug. 31 at 12, Court of Bankruptcy, London, div.—*Wm. Rawlinson*, George-street, Minories, London, draper, Aug. 31 at 11, Court of Bankruptcy, London, div.—*Menahem Levy Bensusan*, *Samuel Levy Bensusan*, *Jacob Levy Bensusan*, and *Joshua Levy Bensusan*, Magdalen-row, Great Prescot-street, Goodman's-fields, Middlesex, merchants, Aug. 31 at half-past 11, Court of Bankruptcy, London, div. joint est.; and sep. est. of *S. Levy Bensusan* and *Joshua Levy Bensusan*.—*Charles Maddox* the elder, Llangwin, Monmouthshire, wood dealer, Sept. 6 at 11, District Court of Bankruptcy, Bristol, div.—*Samuel Fisher Williams*, Liverpool, hosier, Sept. 3 at 11, District Court of Bankruptcy, Liverpool, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Tindle, South Shields, Durham, banker, Aug. 31 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Edwin Cox Nicholls*, Bristol, stockbroker, Sept. 4 at 12, District Court of Bankruptcy, Bristol.—*John Mallett*, Tiverton, Devonshire, grocer, Sept. 3 at 11, District Court of Bankruptcy, Exeter.—*Thomas Pratt*, Newton Abbott, Devonshire, druggist, Sept. 3 at 11, District Court of Bankruptcy, Exeter.—*John Davies*, Dudley Port, Staffordshire, ironmaster, Sept. 1 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Aug. 31.

Benjamin Dickison, Little Tower-street, London, wine merchant.—*Robert Scriven*, Glastonbury, Somersetshire, tallow-chandler.—*Robert Haylock*, Cambridge, chemist.—*Henry Preston Wills*, High Holborn, Middlesex, victualler.—*Horatio Hyland*, Staple Cross, Ewhurst, Sussex, grocer.—*Nathaniel Derry Morris*, Hereford, seed merchant.—*Thomas Carter*, Gainsborough, Lincolnshire, engineer.

Fiat Annulled.

Thomas Cæsar Croasdale, Foxhill-grove, within Oswaldtwisle, near Blackburn, Lancashire, grocer.

Scotch Sequestrations.

Jas. Miller, Glasgow, trader.—*Robert Donaldson*, Pitlessie, Fifeshire, manufacturer.—*James Stewart*, Inveravon, Banffshire, banker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Jabez Lines, Brome, Suffolk, miller, Aug. 20 at 2, County Court of Suffolk, at Eye.—*Jeremiah Sheldrake*, Haughley, Suffolk, farmer, Aug. 20 at 10, County Court of Suffolk, at Stowmarket.—*Joseph Winch*, Brighton, carrier, Aug. 17 at 1, County Court of Sussex, at Brighton.—*Joseph Hoole*, Plymouth, Devonshire, out of business, Sept. 13 at 11, County Court of Devonshire, at Plymouth.—*James Robinson* the younger, Horsham, Sussex, soda-water manufacturer, Sept. 4 at 11, County Court of Sussex, at Horsham.—*S. Haward*, Halesworth, Suffolk, general shopkeeper, Aug. 22 at 2, County Court of Suffolk, at Halesworth.—*Leonard Frewer*, Stowmarket, Suffolk, saddler, Aug. 20 at 10, County Court of Suffolk, at Stowmarket.—*John Stanley Hunt*, Speenhamland, Newbury, Berkshire, boarding-school keeper, Aug. 27 at 10, County Court of Berkshire, at Newbury.—*James Yearsley*, St. Helen's, Lancashire, grocer, Aug. 22 at 12, County Court of Lancashire, at St. Helen's.—*William Tiller*, Winchester, Southampton, fishmonger, Aug. 25 at 10, County Court of Hampshire, at Winchester.—*Wm. Pike* the younger, Newbury, Berkshire, tobacconist, Aug. 27 at 10, County Court of Berkshire, at Newbury.—*John Merrett*, Hereford, confectioner, Aug. 30 at 10, County Court of Herefordshire, at Hereford.—*John Davies*, Escley, Herefordshire, farmer, Sept. 20 at 10, County Court of Herefordshire, at Hereford.—*Jas. Doel*, Devonport, Devonshire, butcher, Sept. 13 at 11, County Court of Devonshire, at Plymouth.—*Marcus Louis*, Ruthin, Denbighshire, attorney's clerk, Aug. 30 at 1, County Court of Denbighshire, at Ruthin.—*Geo. Nicholas*, Penymynydd, Llannan, Pembrokeshire, small farmer, Aug. 23 at 9, County Court of Pembrokeshire, at Fishguard.—*Mary Illingworth*, St. Helen's, Lancashire, grocer, Aug. 22 at 12, County Court of Lancashire, at St. Helen's.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at Cardiff, *Aug.* 23.

Thomas Davies, Merthyr Tydvil, labourer.

At the County Court of Hampshire, at Winchester, *Aug.* 25.

Robert Pope, Boarhunt, near Fareham, miller.—*Duncan Jamieson*, Portsea, linendraper.—*Edw. Gough*, Titchfield, near Fareham, auctioneer.—*Fred. Newman*, Gosport, grocer.—*Joseph Smith*, Strathfieldsaye, shoemaker.

At the County Court of Suffolk, at Bury St. Edmund's, *Aug.* 27.

H. R. Cooper, Ixworth, surgeon.

At the County Court of Dorsetshire, at Dorchester, *Sept.* 12 *at* 12.

Thos. Conway, Stoke Abbott, tailor.—*Wm. Locker*, Bridport, earthenware dealer.—*Wm. Lowcay*, Allington, near Bridport, lieutenant in the Royal Navy.

Insolvent Debtor's Dividend.

George Taylor, Wollaston, near Stourbridge, Worcestershire, victualler, at Roberts & Eberhardt's, Stourbridge: 20*s.* in the pound.

The Queen has been pleased to appoint William George Knox, Esq., to be Chief Justice, and Herbert Townshend Bowen, Esq., to be Puisne Judge, for the island of Trinidad.

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MEMBERS RETURNED TO SERVE IN PARLIAMENT.—Dudley Anderson Pelham, Esq., commonly called the Honourable Dudley Anderson Pelham, for the borough of Boston, in the room of Sir James Duke, Knt., who has accepted the office of Steward of her Majesty's Chiltern Hundreds; John Frederick Stanford, Esq., for the borough of Reading, in the room of Thomas Noon Talfourd, Esq., who has accepted the office of one of the Justices of her Majesty's Court of Common Pleas.

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LONDON, AUGUST 18, 1849.

In the last number of The Jurist (p. 680) is reported a case of *Gridley* v. *Austen*, on the sufficiency of an attorney's bill, which appears to us singularly decided. The ground on which the learned judges held that the plaintiff could not recover appears to have been, that the defendant was not sufficiently apprised by the bill, and the letter enclosing it, that he was the person "to be charged." The question was one wholly of construction of the bill and letter, and it seems to us that the Court put on the two instruments a very strained construction against the plaintiff. The business, it seems, had been done in respect of a proposed separation between a man and his wife: the husband was in France; the wife was, at the time of the business being done, residing with her uncle in England, and the business was done in England. Whether, in terms, the attorney was employed by the wife, or whether by the uncle, does not appear. It would be too much, however, to suppose that the attorney intended to do it for the wife on her own credit; or that he intended to do, on the credit of her husband, business, the very essence of which was hostility to her husband.

The bill was headed, "In the matter of Mr. and Mrs. John Humphreys," and was enclosed in a letter addressed to the defendant, and in that letter was the passage, "I beg to hand *you* my account"—a mode of addressing the defendant which, if the plaintiff meant to charge Mr. Humphreys, the husband, would have been simply impertinent, unless accompanied by a request to forward the account to Mr. Humphreys. For when a man of business sends a bill or account to another, saying, "I send *you* my account," he always means to say, unless he qualifies his statement, that the account is the account of the person to whom he sends it. Certainly, at least, if a tradesman were to send to A. a bill for goods supplied to B., and say, "I send you my account," the party addressed would be at a loss to understand why an account should be sent to him with which he had no earthly concern. But then it was said by one of the learned judges, in *Gridley* v. *Austen*, that the inference from the language of the whole letter was, that the bill was sent to the defendant, the uncle of Mrs. Humphreys, merely because she had left him; and that if she had been still with him, it would have been sent to her. But let us look at the letter and the circumstances of the case. The uncle did not reside in London—he had come with his niece from France, after her quarrel with her husband, apparently for no other purpose than to have for her legal advice upon the separation. The attorney's letter, enclosing his bill, did not say, "I hand you my account for Mrs. Humphreys, because she is no longer with you; but because I presume, that, she having gone, you will soon go too; therefore I hand you my account." The common-sense inference to be collected from the language of this letter is, we submit, that the bill was *then* sent to the defendant, instead of later, because the attorney was afraid the defendant would be leaving town, and wished to have his bill settled before he did so; not that he sent it to the defendant, as the agent of the wife, to be forwarded to her. Nor was it at all consistent with the notion that the attorney intended to charge Mrs. Humphreys or her husband, that he should express, as he did, a hope to the uncle that the bill would be found satisfactory—a question with which the uncle had nothing whatever to do, if he was not intended to pay it. The internal evidence of the bill itself appears to us also to tend to

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the same point. If the attorney had intended to charge Mr. Humphreys, the heading would have been, not "In the matter of Mr. and Mrs. Humphreys," but, naming the husband, in the matter of "yourself and Mrs. Humphreys." The very heading of the bill shewed, therefore, that it was not intended to charge Mr. and Mrs. Humphreys, but some other person; and, coupling the terms of the bill with the fact of its being delivered to the defendant, and the language of the letter accompanying it, it appears to us that an intention was shewn, as strongly as it can be shewn by construction, to charge the defendant. Now, it is not, and was not in *Gridley* v. *Austen*, questioned, that a charge by construction is sufficient to satisfy the statute; that is, that if the bill and accompanying letter together do shew an intent to charge a particular person, that person need not be specifically named as the person charged in the bill itself.

We should, probably, not have ventured to contest the correctness of a decision in which three learned judges concurred, were it not that one of them was originally of a different opinion from that which he expressed when the case came before him in Banc. And though, of course, the deliberate opinion of a judge, after hearing a case argued in Banc, is, in general, more likely to be correct than the one formed in the hurry of Nisi Prius business, yet, on the other hand, it is more possible that he should be swayed by the influence of cunning argument and of the expressed opinion of other judges. As it is, we have thought that we might, without presumption, question the decision of the Court in this case—the more, that it turns not so much on positive law, as on the inferences to be collected from the construction of specially-worded written instruments.

STAMPS.—INDORSEMENTS AND SCHEDULES.

In the case of *Weedon* v. *Woodbridge* (13 Jur., part 1, p. 630) a landlord made some improvements in the demised property, in consideration of which the tenant agreed to pay an additional rent, and by an indenture indorsed on the original lease it was expressed, that, in consideration of the improvements, the landlord demised to the tenant the within-described premises for the residue of the term within granted, subject to the within-contained provisoes, covenants, and agreements, and yielding the yearly rent of 25*l*., in addition to the rent of 420*l*. reserved by the within-written indenture. It was held by the Court of Queen's Bench, that the second lease was not liable to any progressive duty in respect of the matter contained in the lease to which it referred, and which it bore on its back. It had been contended, that the old lease came within the description, in the Stamp Act, (Schedule, Part 1, titles DEED, LEASE), of a "schedule, receipt, or other matter put or indorsed thereon or annexed thereto." Some interlocutory remarks of the judges are not easy to be understood. Thus, Coleridge, J., is reported to have said, that "the Stamp Act assumes that the principal instrument is in existence and in force when the indorsement or annexation is made." This surely cannot be the meaning of the words in the Stamp Act. It could never have been intended, on the one hand, to charge an instrument with progressive duty on matter indorsed on it subsequently to its execution, and not referred to in it; or, on the other, to exempt from progressive duty matter indorsed on an instrument before its execution, and incorporated in it by reference. The word "receipt" certainly presents a difficulty; for it is seldom that an indorsed receipt is referred to by the principal instrument, while it would be imputing too absurd an intention to the framers of this absurd act to say that it was intended to prohibit persons, after the execution of a deed duly stamped with reference to its contents, from indorsing a receipt on it, if the stamp on the deed were insufficient to cover the indorsement, which would be the effect of the learned judge's construction. (See *Bowring* v. *Stevens*, 2 Car. & P. 337). Under the head "RECEIPT," in the Stamp Act, receipts indorsed on deeds are exempted from the receipt-stamp duty. But the import of the decision we are considering ought to be gathered from the judgment of the Court, which was pronounced by Patteson, J., to this effect:—"We think that the stamp is not insufficient, by reason of the second lease being indorsed on the original lease, to which, and to the terms of which, it referred. Nor is the stamp on the original lease affected by the second lease, because it is not indorsed on or annexed to the original lease, within the meaning of the Stamp Act, 55 Geo. 3, c. 184, Schedule, Part 1."

It is, perhaps, owing to the complication of the Stamp Act that judges so often err in stating and applying its provisions. The Stamp Act imposes no duty on an instrument indorsed on, or annexed to, another, in respect of such indorsement or annexation, but it imposes an additional duty on an instrument which refers to matter indorsed on, or annexed to, itself. So, in *Warren* v. *Howe*, (2 B. & C. 281), a question on a mortgage stamp was decided exclusively with reference to the title "Conveyance" in the schedule to the Stamp Act; and in *Pooley* v. *Goodwin* (4 Adol. & Ell. 94) the Court first treated a mortgage as an absolute assignment, and then referred to extrinsic evidence to shew what amount of mortgage-stamp duty it was liable to.

It was not contended, in *Weedon* v. *Woodbridge*, that the original lease could be liable to any further duty by reason of the indorsement; but the point was, that the second lease, by referring to it and incorporating its contents, made it a schedule to itself, indorsed or or annexed, and so became liable to the progressive duty on the aggregate number of words in both. In the absence of any expressed ground of decision on this point, we venture to suggest, that the provision in the Stamp Act was intended to apply only to *words* indorsed on and referred to by the deed in question, which by such reference become incorporated in the deed and are *operative* by virtue of such incorporation; it was not intended to apply to the contents of an instrument annexed to the deed in question, which contents are referred to by way of statement or explanation only and are not incorporated as part of the new deed, as owing to it the force and significance then attributed to them: and that, in the case under consideration, the formal repetition of the words of demise did not make the second deed a new lease, but was mere surplusage because the old lease was in effect left in force, with the single addition of a further rent. If, before the second lease was made, the first lease had been surrendered or forfeited, and so was not in force at the date of its annexation to the second, the decision must, we conceive, have been different; and it is for the purpose of pointing out the limited application of the decision in *Weedon* v. *Woodbridge* that we have noticed the case.

If a deed, after having been duly stamped and executed, is varied in a material part, so as to require a new execution, and is re-executed accordingly, it must (unless the alteration was a mere correction of a mistake and arose from no change of intention) be re-stamped. (*Schumann* v. *Weatherhead*, 1 East, 537; *Hill* v. *Patten*, 8 East, 373; *Bacon* v. *Simpson*, 3 Mee. & W. 70). It could never have been intended to allow this rule

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be evaded (so far as regards the progressive duty) by indorsing on the old and effete instrument another containing the variations, and referring to the old instrument for the substance of the contract. Still less could it have been intended to allow a landlord to grant to his tenant A. a lease on the terms contained in an expired lease to B., annexed to and incorporated by reference in the new lease, without covering by the stamp on the new lease the words contained in the old one. Nor is the plan of referring to the instrument in its detached state more available than that of annexing it; for under the head "SCHEDULE" a duty equivalent to the progressive duty* is imposed on every "schedule, inventory, or catalogue of any lands, hereditaments, or heritable subject, or of any furniture, fixtures, or other goods or effects; or containing the terms and conditions of any proposed sublease or tack, or the conditions and regulations for the cultivation or management of any farm, lands, or other property leased or agreed to be leased; or *containing any other matter or matters of* contract or stipulation whatsoever, which shall be referred to in or by, and be intended to be used or given in evidence as part of or as material to, any agreement, lease, tack, bond, deed, or other instrument charged with any duty, but which shall be separate and distinct from, and not indorsed or annexed to, such agreement," &c.

Upon the questions above suggested, as upon almost every other question on the Stamp Act, the decisions are conflicting. We shall notice first those which we conceive to be sound. In *Wickens* v. *Evans* (4 Car. & P. 359) it was held, by Bosanquet, J., that the stamp on an agreement, referring to Bowles's Map of England and Wales annexed to it, must cover all the names in that map. (See, however, as to names foreign to the agreement, *Dudley* v. *Robins* (3 Car. & P. 26) and *Briggs* v. *Peel*, (11 Jur. 611)). In *Veal* v. *Nicholls* (1 Moo. & Rob. 243) an agreement, referring to an inventory which was annexed to it and, before the annexation, had been duly stamped as an inventory, was held liable to progressive duty in respect of the inventory; Tindal, C. J., observing, that "the circumstance of the inventory being stamped as an inventory cannot make any difference in the question; the point in dispute is, whether the agreement be duly stamped." This decision followed the authority of *Lake* v. *Ashwell*, (3 East, 327), where it was held, under an old stamp act, (37 Geo. 3, c. 90), that an inventory of goods, duly stamped as such, being annexed to a bill of sale which referred to it, required to be stamped as part of the deed. In *Duck* v. *Braddyll* (13 Price, 455; M'Clel. 455) the converse point was decided, that an instrument executed for an independent purpose, and not duly stamped as such, might be read as a schedule to an instrument to which it was annexed, and which bore a stamp sufficient to cover its contents.

When a *detached* schedule is unstamped, the instrument which refers to it may be read alone, quantum valeat. (*Sneezum* v. *Marshall*, 7 Mee. & W. 417; *Daines* v. *Heath*, 3 C. B. 940; *Dyer* v. *Green*, 1 Exch. 71).

In *Attwood* v. *Small* (7 B. & C. 390; 1 Man. & Ry. 246) an agreement, duly stamped, was abandoned, and a substituted agreement was indorsed on it, and incorporated by reference an arbitration clause contained in the former. Lord Tenterden, C. J., held, on a motion for a new trial, that the new agreement did not require a stamp in respect of the matter comprised in the agreement on which it was indorsed and to which it referred, and said, "In *Lake* v. *Ashwell* the schedule was *annexed* to the deed, in the very words of the act of Parliament. In the present case the words of the clause of reference [i.e. the proviso for arbitration] were not in the instrument, nor in any schedule, instrument, or other matter put or indorsed thereon or annexed thereto." It is as useless to comment on a judgment like this as to argue against an assertion that two and two make five. It is equally contrary to common sense and to the authority of *Lake* v. *Ashwell* and *Veal* v. *Nicholls*.

In *Strutt* v. *Robinson* (3 B. & Adol. 395) an agreement for a new tenancy adopted by reference the terms contained in an expired lease, and it was held that that lease did not require a new stamp, as a schedule, inventory, or catalogue. In *Pearce* v. *Cheslyn* (5 N. & M. 653) an agreement, amounting to a lease, and duly stamped as such, referred to and adopted the stipulations contained in an abandoned lease, which was not stamped. It was argued that the abandoned lease could not be read in evidence, but the Court held that "that argument was not well founded, as the lease was incorporated with the second agreement, which was stamped with a lease stamp." It would seem that the instruments were annexed, though the report is not very clear on this point; and, if so, the decision was of course correct, no question having been raised as to the progressive duty. But, during the argument, Lord Denman, C. J., asked whether, if a lease referred to and incorporated the contents of a form in "The Attorney's Pocket-book," it would be necessary to have the Attorney's Pocket-book stamped? If a particular copy of the book were referred to, and annexed to the lease, it would be necessary that the stamp on the latter should cover so much of the book as was referred to; and if not annexed, then the book would be liable to the schedule stamp on the part referred to. But a mere reference to a published work, without specifying any copy, is a reference to an incorporeal thing, and not any piece of paper, parchment, or vellum, within the Stamp Act.

In *Turner* v. *Power* (7 B. & C. 625) a *parol* agreement was made between A. and B. for a tenancy in the terms contained in a written agreement between A. and C., which agreement amounted to a lease, and, being stamped as an agreement only, was rejected by the Court when offered to prove the terms of the contract between A. and B. The answer to this decision is, that the writing was referred to as a writing, and not as a lease or operative instrument, and therefore for that purpose it was as immaterial whether it was stamped as it was whether it was executed; and, being referred to by a verbal agreement, it could not be liable to duty as a schedule to any instrument charged with duty. See *Drant* v. *Brown*, (3 B. & C. 665), where the same point was properly decided, and *Duck* v. *Braddyll*, (M'Clel. 455), where it was held that an independent instrument, not properly stamped as such, may be read in evidence as a schedule to another instrument, properly stamped, to which it was annexed, and which does not refer to it as being in itself operative. So, in *Wallis* v. *Broadbent*, (4 Adol. & Ell. 877), where it was attempted to make out an *implied* contract of tenancy upon the terms of an expired lease, it was held, that the lease, not being properly stamped, was not admissible, for it was required not merely to prove the terms of the new parol contract, but the fact of the former existence of the old contract. But Coleridge, J., said, "I do not wish to be bound to an assertion, that, if there had been proof of an *express* promise to hold upon the terms contained in the original instrument, the mere production of the instrument, without proof of the execution, or stamp, might not be sufficient." And Patteson, J., expressed himself to the same effect.

Unsatisfactory as the cases are, there is enough of authority to furnish a warning against acting on the common notion, that a deed, duly stamped in respect of its own operation, may be referred to by another instrument in a distinct transaction, either as a detached or as an annexed schedule, without being covered by a new stamp.

* Except that the first stamp of 1*l.* 5*s.* on a schedule may cover 2159 words.

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Correspondence.

TO THE EDITOR OF "THE JURIST."

Sir,—In reference to the question now so much agitated, whether the clauses of the Friendly Societies Act, 10 Geo. 4, c. 56, giving an exemption from stamp-duties on mortgages and other securities made to societies within the provisions of that act, are extended to building societies under the 6 & 7 Will. 4, c. 32, I would beg to call your attention to a case reported in your number of the 28th ult. (p. 634), *Ex parte Payne*, in the Bail Court, which proceeds entirely on the assumption that the clauses of the Friendly Societies Act, relating to the referring of disputes to arbitration, are clearly incorporated into the Building Societies Act. But those clauses have no more to do with the "framing, certifying, altering, or inrolling the rules" of such societies than the clauses relating to exemption from stamp-duties. In fact, Sir, there is no clause whatever, from beginning to end of the Friendly Societies Act, which is or can be applicable *both* to the "purpose" of a building society and to the certifying and inrolling its rules. And to limit the incorporation of the clauses of the Friendly Societies Act to those which relate *only* to the inrolling or certifying &c. its rules, is giving just as much a disjunctive effect to the word "and" as the incorporation of those clauses which are applicable only to the "*purpose*" of a building society.

I am, Sir, your obedient servant,

C. B.

The case cited by our correspondent furnishes a complete answer to his assertion, that "there is no clause whatever, from beginning to end of the Friendly Societies Act, which is or can be applicable *both* to the purpose of a building society and to the [framing,] certifying, inrolling, [and altering] its rules." (We have corrected the terms of his proposition to make them accord with those of the act). In *Ex parte Payne* (13 Jur., part 1, p. 634) the rules of a building society were framed with a provision for the reference of disputes to arbitration, in accordance with the 27th section of the Friendly Societies Act, which enacts, "that provision shall be made by one or more of the rules of every such society, to be confirmed as required by this act, specifying whether a reference of every matter in dispute between any such society, or any person acting under them, and any individual member thereof, or person claiming on account of any member, shall be made to such of his Majesty's justices of the peace as" &c. This *rule* of a building society was, we conceive, *applicable to the purpose* of such society, and it was *framed, certified*, and *inrolled*, and so came strictly within the terms of the incorporative clause of the 6 & 7 Will. 4, c. 32, attributing to the word "and" its proper meaning. Nor is it absolutely necessary to change the second "and" in the same clause, which precedes the word "altering," into "or," because all the incorporated clauses are collectively referred to, and described as being applicable to building societies, and to "the framing, certifying, inrolling, *and* altering the rules thereof." The sentence is, like the rest of the act, very ill-penned, and the second "and," if not defensible on the ground we have suggested, must suffer some violence in order to give any sense at all to the clause; but that is no reason for changing the meaning of the word in other places where there is no necessity for doing so, and least of all in the place where, as we conceive, it was used advisedly and emphatically in its proper sense.

We take this opportunity of referring, in confirmation of the dicta in *Cutbill* v. *Kingdom*, as to the limit intended by the Legislature to be placed on the operations of building societies, to the observations of the Vice-Chancellor of England in the case of *Dobinson* v. *Hawkes*, (12 Jur. 1037).

London Gazettes.

TUESDAY, AUGUST 14.

BANKRUPTS.

JABEZ SPENCE RAMSKILL, formerly of Great Dover-road, Southwark, Surrey, dealer in rice, and in railway and other shares, and dealer and chapman, but now out of business, a prisoner for debt in the County Gaol of Cambridge, Aug. 24 at 12, and Sept. 21 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Nichols, 9, Cook's-court, Lincoln's-inn.—Fiat dated Aug. 4.

WILLIAM PERRY, Swindon, Staffordshire, corn dealer, dealer and chapman, Aug. 25 and Oct. 2 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Fellowes & Co., Dudley; Hodgson, Birmingham.—Fiat dated Aug. 7.

DANIEL EVANS, Merthyr Tydvil, Glamorganshire, carpenter and builder, Aug. 28 and Sept. 25 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. James & Co., Merthyr Tydvil, Glamorganshire.—Fiat dated Aug. 1.

GEORGE HENRY WAY, late of Glastonbury, Somersetshire, innkeeper, dealer and chapman, but now of Martock, Somersetshire, out of business, Aug. 23 at 1, and Sept. 18 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Slade & Vining, Yeovil; Terrell, Exeter; Penkivil, West-street, Finsbury-circus, London.—Fiat dated Aug. 9.

MEETINGS.

Henry Watkin, Newport, Shropshire, draper, Aug. 25 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*John Sheppard*, Shirley, Southampton, common brewer, Sept. 5 at 11, Court of Bankruptcy, London, and. ac.—*John D'Monte Arbuthnot*, Great St. Helen's, Bishopsgate-street-within, London, and Albany, Piccadilly, Middlesex, merchant, Sept. 5 at 12, Court of Bankruptcy, London, and. ac.—*John Loustau*, Crutched-friars, London, wine merchant, Sept. 5 at half-past 11, Court of Bankruptcy, London, and. ac.—*Henry Fish*, Princes-row, Pimlico, Middlesex, painter, Sept. 5 at half-past 11, Court of Bankruptcy, London, and. ac.—*Aylsford Wise*, Ford-house, Wolborough, *Nicholas Baker*, Newton Bushel, Highwick, and *Wm. Searle Bentall*, Totnes, Devonshire, bankers, Sept. 11 at 11, District Court of Bankruptcy, Exeter, and. ac. sep. est. of *W. S. Bentall*.—*William Burgoyne*, Plymouth, Devonshire, builder, Sept. 11 at 11, District Court of Bankruptcy, Exeter, and. ac.—*Wm. T. H. Phelps*, Newport, Monmouthshire, coal merchant, Sept. 7 at 12, District Court of Bankruptcy, Bristol, and. ac.—*John L. Grylls*, Pontardulais, *Wm. Stubbs*, Llanelly, Carmarthenshire, and *Richard B. Cousens*, York-square, Stepney, Middlesex, engineers, Sept. 4 at 11, District Court of Bankruptcy, Bristol, and. ac.—*James Currey Wetton*, Crown-row, Mile-end-road, Middlesex, flour factor, Sept. 7 at 11, Court of Bankruptcy, London, div.—*Jos. Sandell Welch*, St. James-street, Westminster, Middlesex, printseller, Sept. 7 at 12, Court of Bankruptcy, London, div.—*Wm. Towns*, Kingston, Surrey, farmer, Sept. 7 at half-past 11, Court of Bankruptcy, London, div.—*J. J. Cartwright*, Wakefield, Yorkshire, corn merchant, Sept. 10 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. B. Gunning, Egham, Surrey, bricklayer, Sept. 8 at 12, Court of Bankruptcy, London.—*Richard Ryder*, Kingston-upon-Hull, grocer, Sept. 5 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*John Smith* and *Wm. Darbyshire*, Manchester, and Egerton within Turton, Lancashire, dyers, Sept. 6 at 12, District Court of Bankruptcy, Manchester.—*Luke Elliott* the younger, Rochdale, Lancashire, chemist and druggist, Sept. 6 at 12, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Sept. 4.

Sam. Beddoe, West Bromwich, Staffordshire, linendraper.—*George Fordham Blow*, Great Dover-street, Newington, Surrey, carrier.—*Robert Cannings Collins*, Bath, Somerset-

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shire, commission agent.—*Joel Wilson*, West Bromwich, Staffordshire, steel manufacturer.—*George Savage*, East Dean, Sussex, grocer.—*Sylvanus Miller*, Eamont Bridge, Cumberland, banker.—*John Battams Shouler*, Leicester, draper.—*Seymour Dodd*, Manchester, fustian manufacturer.—*James Dredge*, Bath, Somersetshire, brewer.—*Alexander Heron*, Birkenhead, Cheshire, stone mason.—*John Harvey*, Weston-super-Mare, Somersetshire, builder.—*John Campbell Dicker*, New Hall, Cheshire, merchant.

SCOTCH SEQUESTRATIONS.

Thomas Anderson, Linktown, Abbotshall, Fifeshire, merchant.—*James Denoon Young*, Glasgow, manufacturing ironmonger.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Johnson, Manchester, Aug. 24 at 1, County Court of Lancashire, at Manchester.—*Henry Tristram* the younger. Chorlton-upon-Medlock, Manchester, warehouseman, Aug. 24 at 1, County Court of Lancashire, at Manchester.—*Creed Royal*, Manchester, professor of music, Aug. 24 at 1, County Court of Lancashire, at Manchester.—*Robert Thompson*, Church Coniston, Lancashire, grocer, Aug. 30 at 2, County Court of Westmoreland, at Ambleside.—*Thomas Dean*, Huddersfield, Yorkshire, grocer, Aug. 30 at 10, County Court of Yorkshire, at Huddersfield.—*William Dyson*, Huddersfield, Yorkshire, woollen cloth weaver, Aug. 30 at 10, County Court of Yorkshire, at Huddersfield.—*David Gibby*, Narberth, Pembrokeshire, victualler, Aug. 25 at 10, County Court of Pembrokeshire, at Narberth.—*John Connor*, Macclesfield, Prestbury, Cheshire, dealer in ironmongery goods, Aug. 23 at half-past 9, County Court of Cheshire, at Macclesfield.—*William Gott*, Cowling, Kildwick, Yorkshire, grocer, Aug. 24 at 10, County Court of Yorkshire, at Skipton.—*George Graham*, Hulme, Manchester, retail dealer in ale, Aug. 24 at 1, County Court of Lancashire, at Manchester.

Saturday, Aug. 11.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William Moir, Royal Mint-street, Whitechapel, London, eating-house keeper, No. 60,371 T.; Benjamin Price, assignee.—*Abbondio Boggia*, Exmouth-street, Spa-fields, Middlesex, birdcage-maker, No. 60,704 T.; Guiseppa Guanziroli, assignee.—*Thomas Henly*, Upper Eaton-street, Pimlico, Middlesex, out of employ, No. 60,820 T.; Curtis Williamson, assignee.—*John Winch*, High-row, Knightsbridge, Middlesex, plumber, No. 60,848 T.; Edward Coe, assignee.—*William Coldman*, Forrest-green, Abinger, near Ockley, Surrey, victualler, No. 60,851 T.; Richard Gates, assignee.—*John Mynn*, Queen-street, Brompton, Middlesex, out of business, No. 60,860 T.; James Miller, assignee.—*Fortescue Hitchins*, Regent-street, Middlesex, tailor, No. 60,861 T.; Robert Corbishley, assignee.—*William Colling Hobson*, Harper-street, Theobald's-road, Middlesex, publisher of maps, No. 70,792 T.; William Plaskitt, assignee.—*Joseph Hall*, Chester, baker, No. 71,053 C.; Thomas Heatherley, assignee.—*Thomas Smith*, Cheltenham, Gloucestershire, butcher, No. 71,133 C.; John Clarke Kent, assignee.—*Robert Thorns* the elder, Ipswich, Suffolk, maltster, No. 71,171 C.; William Kemball the younger, and James Gudgeon, assignees.—*Anthony Guidice*, Birmingham, brace manufacturer, No. 71,233 C.; Michael Middleton, assignee.—*Vivian Stevens*, Penzance, Cornwall, attorney's clerk, No. 71,250 C.; John Stevens and David Eddy Stevens, assignees.—*James Allen*, Market Harborough, Leicestershire, out of business, No. 69,591 C.; Eli Lawrence, sole assignee, John Elliston, co-assignee, removed.

Saturday, Aug. 11.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard Valler, Portland-st., Berwick-st., Oxford-street, Middlesex, coachmaker: in the Debtors Prison for London and Middlesex.—*Thomas Wood*, Randall-street, Limehouse, Middlesex, waterman: in the Debtors Prison for London and Middlesex.—*Henry Wm. Oliphant*, Bedford-place, Russell-square, Middlesex, out of business: in the Queen's Prison.—*Henry Rowe*, Clavering, Essex, assistant to a plumber: in the Debtors Prison for London and Middlesex.—*J. Ariell*, Stamford-street, Blackfriars-road, Surrey, watch-movement maker: in the Debtors Prison for London and Middlesex.—*Wm. Lintott*, Northbone, Godalming, near Guildford, Surrey, lath render: in the Gaol of Horsemonger-lane.—*Richard Winch* the elder, Belgrave-house, King's-road, St. Pancras, Middlesex, ivory and ebony cutter: in the Queen's Prison.—*Joshua Evert Cooper*, Westham, Sussex, tile manufacturer: in the Queen's Prison.—*William Hayward*, Bedford-place, Commercial-road East, Middlesex, bonnet-shape maker: in the Queen's Prison.—*Henry Wilton* the elder, John-street, Pentonville, Middlesex, out of business: in the Queen's Prison.—*Thomas Hewett*, Cobden-terrace, King's-road, Homerton New-town, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Thos. Davies*, Merthyr Tydvil, Glamorganshire, labourer: in the Gaol of Cardiff.—*Edward Gough*, Pitchfield, near Fareham, Hampshire, auctioneer: in the Gaol of Winchester.—*Duncan Jamieson*, Portsea, Hampshire, linendraper: in the Gaol of Winchester.—*Robert Pope*, Boarhunt, near Fareham, Hampshire, miller: in the Gaol of Winchester.—*Robert Upton*, Leamington Priors, Warwickshire, clerk: in the Gaol of Warwick.—*Joseph Watkins*, Cwmoig-farm, Nevern, Pembrokeshire, farmer: in the Gaol of Haverfordwest.—*George Holding*, Northleigh, near Woodstock, Oxfordshire, sub-railway contractor: in the Gaol of Oxford.—*James Leake*, Witney, Oxfordshire, attorney at law: in the Gaol of Oxford.—*Thomas Lloyd*, Wamfawr, Llanfynydd, Carmarthenshire, labourer: in the Gaol of Carmarthen.—*Samuel Lord*, Blackburn, Lancashire, cotton spinner: in the Gaol of Lancaster.—*William Marshall*, Coundon, Durham, shoemaker: in the Gaol of Durham.—*Thos. Nelson*, Stockton-on-Tees, Durham, tailor: in the Gaol of Durham.—*James Smith*, Bedford, Northumberland, merchant: in the Gaol of Morpeth.—*Christopher Metcalfe*, Manchester, plumber: in the Gaol of Lancaster.—*Edward Halliley*, Leeds, Yorkshire, cloth finisher: in the Gaol of York.—*Stephen Henry Harrop*, Ashton-under-Lyne, Lancashire, provision-shopkeeper: in the Gaol of Lancaster.—*Joseph Smith*, Fair Oak-green, Strathfieldsaye, Hampshire, shoemaker: in the Gaol of Winchester.—*Wm. John Faithfull*, Brighton, Sussex, solicitor's clerk: in the Gaol of Lewes.—*John Atkin*, Stanley, near Liverpool, licensed victualler: in the Gaol of Lancaster.—*John Barton* the younger, Ulverstone, Lancashire, saddler: in the Gaol of Lancaster.—*Simon Landry*, on board the brig L'Empereur, in the port of Sunderland, Durham, master mariner: in the Gaol of Durham.—*Richard Morris*, Hulme, Manchester, provision dealer: in the Gaol of Lancaster.—*James Wood*, Manchester, provision dealer: in the Gaol of Lancaster.—*John Arden*, The Hillend, Mainstone, Shropshire, farmer: in the Gaol of Shrewsbury.—*Robert Walker*, Birmingham, commission-agent: in the Gaol of Coventry.—*Thomas Gibbs*, Liverpool, master mariner: in the Gaol of Lancaster.—*John Monday*, Tiverton, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*Wm. Parsons*, Hereford, bailiff: in the Gaol of Hereford.—*Thos. Russell*, Ardwick, Manchester, cotton doubler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, *Aug.* 29.

Robert Walker, Birmingham, out of employ.

At the County Court of Warwickshire, at WARWICK, *Sept.* 3.

Paul Jeavons, Birmingham, general japanner.

At the County Court of Brecknockshire, at BRECKNOCK, *Aug.* 29 *at* 10.

John Cadwogan Powell, Cefngorwydd, Llangammarch, out of business.

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FRIDAY, August 17.

BANKRUPTS.

JOSEPH HODSON, Whaplode, Lincolnshire, draper, grocer, dealer and chapman, Aug. 31 at 11, and Sept. 28 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Ashurst & Son, 6, Old Jewry, London.—Fiat dated Aug. 8.

JOHN PAVIS, Three Colt-street, Limehouse, Middlesex, licensed victualler, Aug. 23 at half-past 11, and Sept. 28 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Symes & Co., 31, Fenchurch-street.—Fiat dated Aug. 7.

JOHN CHARLES BALL, Kennington-cross, Lambeth, Surrey, beer-house keeper, dealer and chapman, Aug. 24 at half-past 11, and Sept. 28 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Few & Co., 2, Henrietta-street, Covent-garden.—Fiat dated Aug. 10.

RICHARD BRADSHAW BURTON and GEORGE BULPIN, Dublin, drapers, dealers and chapmen, and trading thence to the city of London, to Liverpool, and to other parts of England, Aug. 31 at half-past 1, and Oct. 4 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Mardon & Prichard, Christchurch-chambers, Newgate-street.—Fiat dated Aug. 7.

GEORGE STURT, now of Creed's-place, Greenwich, Kent, out of business, but late of St. Alban's, Hertfordshire, and carrying on the business of a banker there in partnership with Edward Gibson, under the style or firm of Gibson & Sturt, Aug. 27 and Oct. 4 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Messrs. Linklater, 1, Charlotte-row, Mansion-house.—Fiat dated Aug. 9.

JOHN BODILY, late of Ladbroke, but now of Southam, Warwickshire, farmer, grazier, dealer and chapman, Sept. 4 and Oct. 6 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Holland, West Bromwich; Hodgson, Birmingham.—Fiat dated Aug. 10.

JAMES ROBERTS, Smethwick, Staffordshire, steel manufacturer, Sept. 4 and Oct. 6 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Tarleton, Birmingham.—Fiat dated Aug. 9.

BENJAMIN HOLMES, Birmingham, boot and shoe maker, Aug. 25 and Sept. 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Fiat dated Aug. 13.

JAMES HONISS, Cheltenham, Gloucestershire, paper stainer and house decorator, Aug. 30 and Sept. 28 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Chesshyre, Cheltenham; Bromley & Aldridge, Gray's-inn, London.—Fiat dated Aug. 13.

THOMAS ASHWORTH, Liverpool, merchant, Aug. 28 and Sept. 21 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Forshaw, Liverpool; Humphreys & Co., Gray's-inn-square, London.—Fiat dated Aug. 9.

JOHN TURNER, Oldham, Lancashire, cotton spinner, dealer and chapman, Aug. 28 and Sept. 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Ascroft, Oldham; Gregory & Co., 1, Bedford-row, London.—Fiat dated Aug. 10.

JASPER FLETCHER, Manchester, auctioneer, Aug. 29 and Sept. 26 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Ackers, Manchester; Lever, 1, Frederick's-place, Old Jewry, London.—Fiat dated Aug. 13.

JOHN HARDLEY, Manchester, tailor and draper, dealer and chapman, Aug. 29 at 11, and Sept. 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Allen, Manchester; Bower, Token-house-yard, London.—Fiat dated Aug. 7.

MEETINGS.

Joseph Turner, Newmarket, Suffolk, saddler, Aug. 28 at 12, Court of Bankruptcy, London, last ex.—*Elizabeth Aydon* and *Thomas William Ferguson*, Newcastle-upon-Tyne, grocers, Aug. 30 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*William Wilson*, Houghton-le-Spring, Durham, maltster, Aug. 28 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Philipson*, North Shields, Northumberland, printer, Aug. 30 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Buckley*, Higher Crompton, near Oldham, Lancashire, coal master, Sept. 11 at 12, District Court of Bankruptcy, Manchester, and. ac.—*John Protheroe* the younger, Bri iron merchant, Sept. 14 at 12, District Court of Bankrup Bristol, and. ac.; Sept. 18 at 11, div.—*John Goodwin*, C tenham, Gloucestershire, currier, Sept. 21 at 11, District C of Bankruptcy, Bristol, and. ac.—*Henry Jelloways*, Pe pool, Monmouthshire, licensed victualler, Sept. 21 at District Court of Bankruptcy, Bristol, and. ac.—*Ch Bossley*, Bristol, mercer, Sept. 7 at 11, District C of Bankruptcy, Bristol, and. ac.—*J. D. Blake*, Honiton, vonshire, innkeeper, Sept. 12 at 11, District Court of Ba ruptcy, Exeter, and. ac.; Sept. 13 at 1, div.—*N. Bis* the younger, Honiton, Devonshire, victualler, Sept. 19 at District Court of Bankruptcy, Exeter, and. ac.; Sept. 2 1, div.—*A. Wise*, Ford-house, Wolborough, *Nicholas Ba* Newton Bushel, Highwick, and *Wm. Searle Bentall*, Tot Devonshire, bankers, Sept. 11 at 11, District Court of Ba ruptcy, Exeter, and. ac. sep. est. of *N. Baker*; Sept. 12 at div. sep. ests. of *N. Baker* and *W. S. Bentall*.—*J. C. Bro* Taunton, Somersetshire, draper, Sept. 19 at 11, Dist Court of Bankruptcy, Exeter, and. ac.; Sept. 20 at 1, div *R. Braunwell*, Holsworthy, Devonshire, attorney, Sept. 19 11, District Court of Bankruptcy, Exeter, and. ac.—*Jo Barber* and *Aaron Barber*, Martock, Somersetshire, in mongers, Sept. 19 at 11, District Court of Bankruptcy, Exe and. ac.—*Wm. Angus*, Gateshead, Durham, banker, Sept. at 1, District Court of Bankruptcy, Newcastle-upon-Ty and. ac.—*John Hinchcliffe*, Wakefield, Yorkshire, carri Sept. 25 at 11, District Court of Bankruptcy, Leeds, div. *W. Burgoyne*, Plymouth, Devonshire, builder, Sept. 12 at 1 District Court of Bankruptcy, Exeter, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on before the Day of Meeting.

Wm. Partington, Elmstone Hardwick, Gloucestersh coal merchant, Sept. 7 at 11, District Court of Bankrupt Bristol.—*Peter Chaloner*, Clirow, Radnorshire, innkeep Sept. 24 at 12, District Court of Bankruptcy, Bristol.—*A Dickson*, Narberth, Pembrokeshire, grocer, Sept. 24 at 11 District Court of Bankruptcy, Bristol.—*Wm. Henry Sut* Liverpool, ship broker, Sept. 11 at 11, District Court Bankruptcy, Liverpool.—*James Morgan*, Liverpool, hotel keeper, Sept. 11 at 11, District Court of Bankruptcy, Liver pool.—*Francis Paynter*, Penzance, Cornwall, attorney, Sep 18 at 11, District Court of Bankruptcy, Exeter.—*Geo. Mi lership*, Oldbury, Worcestershire, draper, Sept. 11 at 12, Di trict Court of Bankruptcy, Birmingham.—*John Best* t younger, Dudley, Worcestershire, grocer, Sept. 11 at 1 District Court of Bankruptcy, Birmingham.—*Thomas Wat* Nottingham, and Basford, Nottinghamshire, builder, Sept. at 10, District Court of Bankruptcy, Nottingham.

To be allowed by the Vice-Chancellor of the High Court Chancery, acting in Bankruptcy, unless Cause be shew the contrary on or before Sept. 7.

V. Jenkinson, Stanhope-street, Park-place, Camden-to Middlesex, butcher.—*Edward Woodgate*, Bartlett's-bu ings, Holborn, London, electro-plate manufacturer.—*Arth White*, Wimborne Minster, Dorsetshire, saddler.—*J. Qu ley*, Birkenhead, Cheshire, victualler.—*Chas. Owen*, Hark street, Cavendish-square, Middlesex, dentist.—*Thos. Pha* the younger, Bristol, grocer.—*Thomas Hughes*, Liverpo woollendraper.—*John Benifas* the younger, Dorchester, D setshire, woollendraper.—*Isaac Perry Cartwright*, Nantwi Cheshire, chemist.

FIAT ANNULLED.

Geo. Squire, St. Neot's, Huntingdonshire, merchant.

PARTNERSHIP DISSOLVED.

Henry A. Wildes, *Henry D. Wildes*, and *Francis Sm* Maidstone, Kent, solicitors and attorneys, (under the style firm of Wildes, Son, & Smith).

SCOTCH SEQUESTRATIONS.

Wm. M'Lean, Glenmavis, New Monkland, Lanarkshi grocer.—*R. Stirling*, Glasgow, merchant.—*Alex. Campbe* Strathpeffer, near Dingwall, merchant.—*George Robertso* Perth, flesher.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankrupt and have obtained an Interim Order for Protection fro Process.

Enoch Percival, Kingston-upon-Hull, hatter, Sept. 22 a

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10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Havercroft*, Kingston-upon-Hull, sawyer, Sept. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*E. Haller*, Kingston-upon-Hull, currier, Sept. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George Eyre*, Kingston-upon-Hull, master of a river sloop, Sept. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Walker*, Kingston-upon-Hull, basket maker, Sept 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Henry Critchett*, Stone, Staffordshire, currier, Aug. 24 at 11, County Court of Staffordshire, at Stone.—*Wm. King*, Dover, Kent, labourer, Aug. 25 at 11, County Court of Kent, at Dover.—*John Creffield*, Slough, Buckinghamshire, coachmaker, Aug. 20 at 10, County Court of Berkshire, at Windsor.—*John Vickers*, Sturton-le-Steeple, Nottinghamshire, blacksmith, Sept. 5 at 11, County Court of Nottinghamshire, at East Retford.—*James Clark*, Cirencester, Gloucestershire, blacksmith, Sept. 6 at 10, County Court of Gloucestershire, at Cirencester.—*Wm. Townsend* the younger, Cirencester, Gloucestershire, butcher, Sept. 6 at 10, County Court of Gloucestershire, at Cirencester.—*H. Noble*, Kingston-upon-Hull, draper's assistant, Sept. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*T. H. Etherington*, Stableford, Staffordshire, builder, Aug. 24 at 11, County Court of Staffordshire, at Stone.—*J. Stanford*, Birmingham, licensed victualler, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*J. Lavill*, Birmingham, cordwainer, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*John Yates* the younger, Handsworth, Staffordshire, brickmaker, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*Jas. Hooper*, Moseley, Worcestershire, plumber, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Osborne*, Aston, Warwickshire, commission-agent, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*John Thomas*, Brecknock, butcher, Aug. 29 at 2, County Court of Brecknockshire, at Brecknock.—*John Atkin*, Newark-upon-Trent, Nottinghamshire, out of business, Sept. 8 at 12, County Court of Nottinghamshire, at Newark.—*Chas. Bennion*, Birmingham, collector of debts, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*Joseph Hellier*, Birmingham, retail brewer, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*Jas. Osborn*, Birmingham, wood turner, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Jackson*, Birmingham, die sinker, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*E. Griffith*, Birmingham, jeweller, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*Joseph Gibbs*, Aston, Warwickshire, huckster, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.—*Henry Cook*, Bath, blacksmith, Aug. 25 at 12, County Court of Somersetshire, at Bath.—*John Stevens*, Grassthorpe, Nottinghamshire, tailor, Sept. 8 at 12, County Court of Nottinghamshire, at Newark.—*George Robinson*, Appleton-gate, Newark-upon-Trent, Nottinghamshire, miller, Sept. 8 at 12, County Court of Nottinghamshire, at Newark.—*Wm. Perry Mills*, Young's-green, near Cheadle, Staffordshire, assistant to a farmer, Aug. 28 at 11, County Court of Staffordshire, at Cheadle.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Gustavus Blumenthal, Manchester, commission-agent, No. 71,347; George Corry, assignee.—*John Bradley*, Ashton-under-Lyne, out of business, No. 71,332; James Boothman, assignee.—*James Greenhalgh*, Bridgefield, Oakenroad, Rochdale, spindle and fly maker, No. 71,401; James Lord, assignee.—*Richard Farrer*, Lancaster, manager of a cotton-mill, No. 71,400; George Elsdon, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *Aug.* 31 *at* 11.

Daniel Wood Redfern, Manchester, labourer.—*Richard Morris*, Manchester, provision dealer.—*John Atkin*, Stanley, near Liverpool, licensed victualler.—*Thos. Gibbs*, Liverpool, master mariner.—*Elias Flitcroft*, Blackburn, joiner.—*James Wood*, Manchester, out of business.—*Wm. Sparks*, Manchester, dealer in ale.—*John Hindle*, Accrington, retail dealer in ale.—*George Barlow Scholes*, Moss-side, Hulme, Manchester, out of business.—*John Dearden*, Pinfold, Rochdale, in no business.—*Wm. Taylor*, Preston, plasterer.—*Wm. Wilcock*, Bury, out of business.—*Jeremiah Hall*, Ardwick, Manchester, butcher.—*Robt. Corlett*, Chorlton-upon-Medlock, joiner.—*John Davenport*, Manchester, beerseller.—*James Beard*, Liverpool, cabinet maker.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, *Sept.* 22 *at* 10.

Uppleby Sutton, Kingston-upon-Hull, merchant's clerk.

At the County Court of Yorkshire, at SHEFFIELD, *Sept.* 5 *at* 10.

Thomas Coggin, Sheffield, horn presser.

At the County Court of Northumberland, at MORPETH, *Aug.* 31 *at* 10.

James Smith, Belford, merchant.

At the County Court of Kent, at MAIDSTONE, *Sept.* 4 *at* 12.

Kenelm Chandler, Gravesend, plumber.

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LONDON, AUGUST 25, 1849.

The case of *Whiston* v. *The Dean and Chapter of Rochester* (13 Jur., part 1, p. 694) is one of great importance, involving the consideration of that peculiar species of charity, in which there is, for some purposes, a *trust*, subject to the jurisdiction of the Court of Chancery, and for other purposes a *duty* merely, not being a trust, excluding the jurisdiction of equity, and subject specially to the jurisdiction of a visitor.

We apprehend there cannot be much question, that, in the case before the Court, the plaintiff mistook his remedy for the particular grievance, and that the corporation were not trustees for the plaintiff in his personal and individual character; that is, that he had not a beneficial estate in his office of schoolmaster. But we conceive that the Court did not mean to go further than this, when it said that there was no trust. It did not mean to say that the corporation was not a trustee for the purpose of maintaining a school, and scholars, and a schoolmaster; or that, in the execution of such trust, it would not be bound by its statutes; or that the Court of Chancery would not have jurisdiction to construe and to enforce those statutes, as regards the general execution of the trust.

It is not quite apparent, from the language of the judgment, what was the opinion of the Court on this general question; and probably it was not intended by the Court that any precise expression of opinion should be collected upon it, as that was not the question before the Court. The only question actually before the Court was, whether it ought to exercise jurisdiction to restrain the corporation from dismissing the existing schoolmaster for alleged misconduct. Now, it was clear, that whether the schoolmaster had misconducted himself, or not, was a question quite independent of the question whether the funds of the corporation were trust-funds or not; and, if they were, whether they were properly distributed or not. It was a question of pure internal discipline, and for the regulation of such questions the statutes distinctly pointed out the bishop as the person to act as visitor. Unless, therefore, the plaintiff could claim individually an *estate* in his office, there was clearly no trust for him personally, and the jurisdiction of the visitor over him, in respect of his duty to conduct the school, and himself, with propriety, was not ousted.

The general question, whether the corporation in this case held the property given to it by the founder in trust for the objects named in the statutes—that is, whether, as distinguished from the case of *The Attorney-General* v. *Magdalen College*, (10 Beav. 402), there was a *trust* to maintain a school and schoolmaster, &c., on which the jurisdiction of equity attached; or whether, consistently with that case, there was merely a *duty* in the corporation, in respect to which the visitor alone had authority to interfere—it was not, as we again submit, necessary to decide in *Whiston* v. *The Dean and Chapter of Rochester;* and whatever fell from the Court on that subject must, therefore, (if we are correct), be taken to be extra-judicial.

Now, in *The Attorney-General* v. *Magdalen College*, the ground on which the Court proceeded expressly was, that the school was no specific part of the foundation. The instrument of foundation did not name a school at all; it declared that the founder founded a college of learning, of the sciences of divinity and philosophy, &c., according to statutes to be framed. Certain statutes were made, with power reserved to make further statutes. It did not appear when the school attached to

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the college was first thought of: it did appear, that, twenty-two years after the foundation, grammar scholars were taught gratis, at the charges of the founder, and in the same year a school-house was built, and subsequent entries shewed payments to a schoolmaster and usher. Finally, the statutes were settled twenty-five years after the foundation, and directed that there should be a master and usher, who should teach scholars who might come to the school-house, and salaries were directed to be paid to the master and usher. Now, in this state of things, the Master of the Rolls said, "The school is not a separate foundation. The license, which the founder obtained to found his college, contained no specific reference to a school, but gave authority to make such statutes and ordinances as were proper for the regulation of the college; and the statutes made to regulate the college, in pursuance of the license, directed that there should be a schoolmaster and usher, to be hired and removed by the president; in other words, the president had imposed on him the duty of engaging and removing a schoolmaster and usher. Certain stipends are directed to be paid to the master and usher, out of the common goods of the college, and they are to have chambers and weekly commons equal to those of the fellows of the college; but there is no other endowment of the school. A building was erected for the school, but no property is otherwise specially set apart or appropriated to the use of the school, or for its maintenance and support; and, subject to the specific payments for specific purposes, including fixed stipends to the master and usher, the revenues of the college belong to the college for its own use, subject, indeed, to the performance of all duties incumbent on the college to perform, but not subject to any trust to be executed in this court.

"The college has, no doubt, a very important duty to perform with reference to the school, and the performance of that duty may be enforced by proper authority; but, unless it be a duty founded on a trust which this Court can execute, the performance of the duty is not to be enforced here. And on the best consideration which I have been able to give to the subject, I am of opinion that this Court has no jurisdiction to give the relief which is here asked. Though there is sufficient proof of the duty or obligation, there is not, in my opinion, evidence of a trust, as the word 'trust' is understood in this court."

Now, contrast this with the case of *Whiston* v. *The Dean and Chapter of Rochester*. There, in the instrument of foundation, it is expressly declared, as one of the purposes of the foundation, that "juventus in literis liberaliter instituatur." There is a statute expressly relating to the grammar-school boys, "De Pueris Grammaticis," and it is directed that there shall be twenty boys "de bonis ecclesiæ nostræ alendi," who were to be taught, &c., and supported at the charges of the church. But, as if this were not strong enough to shew a trust for education, there is also a declaration, that, out of the funds of the church, four poor scholars should always be maintained in the Universities. In fact, the same statutes that directed the existence and sustentation of the dean and canons, directed the existence and sustentation of a given number of scholars, falling under a given description; and the existence and sustentation of a master, and of other officers, instruments for the general carrying out of the trust: so that the case is, we submit, precisely that to which, in *The Attorney-General* v. *Magdalen College*, the Court, by implication, refers as one in which there would be a trust. For the school, in *Whiston's case*, was, or at least the scholars were, a specific object of the original foundation, and there is, in regard to them, not merely a direction for education, but a specific appropriation of property for their sustentation. The scholars are, therefore, clearly beneficial objects of the endowment.

This we take to be the true distinction between the *Magdalen College case* and *Whiston's case*. In the former there was no property in which the scholars had a beneficial claim by the statutes. A duty was imposed on the corporation to appoint officers to teach, and poor boys might come and be taught; but the grammar scholars, as such, had no part in the corporation funds. Whereas in *Whiston's case* a specific object of the foundation was the grammar-school; and the twenty scholars, and, as incident to the existence of the school, the master, had a specific beneficial interest in the corporation funds: not, as we have already observed, in the sense of the Rev. Mr. Whiston, or any particular scholar, having an estate in his office or in his scholarship, but in the sense that the legal owners of the corporation property are bound by a *trust* to apply certain portions of that property to the maintenance of scholars and a master.

If this be once made out, then, according to all the cases, the Court of Chancery has jurisdiction to decide on the construction of the statutes, in reference to the question, which is the real and important one, whether the effect of the statutes is to direct a division of the corporation funds in the relative proportions pointed out by the specific sums directed to be paid to the different objects named in the statutes; or whether the intention of the statutes is to confine certain of those objects to the specific allowances named, leaving the increase for the others; or whether, lastly—and this is a quite possible construction—the intention is to confine all the objects named, to the specific allowances named, and to allow the surplus to revert to the founder, which would in effect be, in the case under consideration, to the Crown.

NEW LAW FOR THE AMENDMENT OF THE PROCEDURE AT SESSIONS.

Some important alterations in the procedure in Courts of General and Quarter Sessions are made by an act passed on the 28th ult.—the 12 & 13 Vict. c. 45.

It is greatly to be regretted that the Legislature, instead of dealing in a comprehensive manner with some distinct branch of the law, and placing it on a settled and intelligible basis, should frame statutes as it were by piecemeal, and keep the law in a restless state, agitated to and fro by constant alterations and amendments. The present statute is intended to supply an omission in an "Act for the Removal of Defects in the Administration of Justice," (11 & 12 Vict. c. 46), and at the same time to amend the "Act to amend the Procedure in respect of Orders for the Removal of the

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Poor in England and Wales, and Appeals therefrom," (11 & 12 Vict. c. 31), and also to introduce some wholly new provisions respecting appeals. It would obviously have been more satisfactory if the whole law relating to appeals had been methodised, consolidated, and (as far as might be practicable) settled in one enactment. The 10th section of the new statute extends the provisions of the 11 & 12 Vict. c. 46, s. 4, relative to the amendment of indictments on the trial, to general and quarter sessions, they being hitherto applicable only to "any court of oyer and terminer, and general gaol delivery." Though courts of quarter sessions are authorised "to hear and determine," they are not technically courts of *oyer* and *terminer*, (Hale's Sum. P. C. 165; Com. Dig., tit. "Justices," B. 3); and the extension of the power of amendment in the cases of variances between any matters in writing or print produced in evidence, and the recital or setting forth thereof in indictments, will undoubtedly tend to remove one of the defects in the administration of criminal justice.

The preamble of the act recites, that "whereas, in cases of appeal to courts of general or quarter sessions of the peace, it is expedient that the law should be more uniform;" yet the second section excludes from the operation of this statute notices of appeal against summary convictions, orders of removal, orders under any statute relating to pauper lunatics, orders in bastardy, or against any proceeding under or by virtue of any of the statutes relating to her Majesty's revenue of excise, or customs, stamps, taxes, or post-office—in fact, the bulk of the appeals that come before sessions. In all these cases, the law with regard to notices of appeals "shall be deemed and taken to be the same as if the provisions hereinbefore contained had not been enacted." With, however, the important exceptions noticed, after the 1st November next, when this act will come into operation, in every case of appeal to any court of general or quarter sessions of the peace, *fourteen* clear days' notice of appeal, at least, shall be given, and shall be taken to be a sufficient notice. The notice must in all cases be in writing, signed by the party, or his attorney; and the grounds of appeal must be stated in every such notice; it being provided that it shall not be lawful for the appellant on the trial of the appeal to go into or give evidence of any other ground of appeal beside those set forth in such notice. Power of amendment of grounds of appeal, in cases within this act, is given to the sessions, in nearly the same terms as those in the fourth section of the 11 & 12 Vict. c. 31.

The sessions have hitherto had no power to award costs, unless where given by the particular statute under which the justices were acting at the time. By the 5th section of the present act it is provided, that in future the sessions shall have a general power to give costs in *all cases* of appeal—"And be it enacted, that, upon any appeal to any court of general or quarter sessions of the peace, the court before whom the same shall be brought may, if it think fit, order and direct the party or parties, against whom the same shall be decided, to pay to the other party or parties such costs and charges as may to such court appear just and reasonable;" these costs to be recoverable in the manner provided for the recovery of costs upon an appeal against an order or conviction, by the 27th section of the 11 & 12 Vict. c. 43.

A salutary provision is made by the 7th section respecting the amendment of orders or judgments of justices on appeal, or the return to any writ of certiorari. These orders and judgments have been frequently quashed or set aside on some mere technical objection to the form of the order or judgment, irrespective of the truth and merits of the matters in question: it is therefore enacted, that if, upon the trial of any appeal against any order or judgment of justices, or upon the return of any writ of certiorari, any objection shall be made on account of any omission or mistake in the drawing up of such order or judgment, and it shall be shewn to the satisfaction of the court that sufficient grounds were in proof before the justices making such order or giving such judgment, to have authorised the drawing up thereof, free from the said omission or mistake, it shall be lawful for the court, upon such terms as to payment of costs as it shall think fit, to amend such order or judgment, and to adjudicate thereon, as if no such omission or mistake had existed. Amendment of recognisances, required as a condition of an appeal, is also, in the same way, provided for.

By the 11th section power is given, in all cases of appeal, (except in the case of an order in bastardy, or proceeding under any statutes relating to excise, customs, stamps, taxes, or post-office), to parties, at any time after notice of appeal, by consent, and by order of any judge of one of the superior courts of common law at Westminster, to state a special case *without going to the sessions previously*, and to agree that a judgment in conformity with the decision of such Court, and for such costs as such Court shall adjudge, may be entered, on motion by either party, at the sessions next or next but one after such decision shall have been given; such judgment to be of the same effect, in all respects, as if the same had been given by the court of general or quarter sessions upon appeal duly entered and continued.

A new principle is introduced into the procedure of sessions by the 12th section, viz. *reference to arbitration* of controversies and disputes, for which the remedy is by appeal to sessions; in analogy to the 9 & 10 Will. 3, c. 15, intituled "An Act for determining Differences by Arbitration." It is enacted, "that, at any time after notice given of appeal to any court of sessions against any order, rate, or other matter, (except against a summary conviction or an order in bastardy, or against proceeding relating to excise, or customs, stamps, taxes, or post-office), for which the remedy is by such appeal, it shall be lawful for the parties, by order of a judge of the Court of Queen's Bench, to submit the matter of such appeal to the award or umpirage of any person or persons, and to agree that such submission should be made a rule of the said Court of Queen's Bench; and that every award or umpirage duly made under this act shall be as binding and effectual, to all intents, as if the same had been a regular judgment of the said court of general or quarter sessions; and shall and may, on the application of either party, be inrolled among the records of the said court of sessions." This important provision will apply to appeals against orders of removal, orders under statutes relating to lunatics, poor-rates, &c. &c. The 13th section enables courts of sessions, with the consent of the parties, to refer the matter of the appeal to arbitrators or umpires, and provides that the order of the Court may be made a rule of the Court of Queen's Bench. In the case of *Rex* v. *The Justices of Northampton* (Cald. 9; Bott, 716) it had been decided, that, in the case of a poor-rate, the justices, by the consent of both parties, might refer the matter to arbitration, and adopt the award of the arbitrators as their judgment; but, as a general rule, they had no power legally to delegate their authority.

The act, which consists of twenty-one sections, contains other provisions of minor importance, which do not call for special notice.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Robert Slaney, Gent., of Newcastle-under-Lyne, Staffordshire, to be a Master Extraordinary in the High Court of Chancery.

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London Gazettes.

TUESDAY, August 21.

BANKRUPTS.

ALBERT PAINE and GEORGE FREDERICK DAVIES, High-street, Southwark, Surrey, woollen-drapers, dealers and chapmen, Aug. 30 at 12, and Sept. 28 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. De Jersey, 2, St. Ann's-lane, Aldersgate.—Fiat dated Aug. 8.

HARRY FARNCOMBE HODSON, Romford, Essex, ironmonger, dealer and chapman, Aug. 29 at 1, and Sept. 28 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Jones & Wright, 8, Swithin's-lane, London.—Fiat dated Aug. 18.

JOHN BOWERS, Corn Market, Worcester, wine merchant, dealer and chapman, Sept. 4 and Oct. 6 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Smith, Birmingham; Letts, 8, Bartlett's-buildings, Holborn.—Fiat dated Aug. 15.

WILLIAM HADEN RICHARDSON, Darlaston, Staffordshire, tube manufacturer, (carrying on business under the style or firm of William Haden Richardson, jun., & Co.), Sept. 11 and Oct. 9 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Chesshire, Birmingham.—Fiat dated Aug. 13.

FREDERICK BURT, Plymouth, Devonshire, boarding-house keeper, bookseller, stationer, dealer and chapman, Sept. 4 and 26 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Elworthy, Plymouth; Stogdon, Exeter; Surr & Gribble, Lombard-street, London.—Fiat dated Aug. 9.

JAMES SKINNER the younger, Bristol, linen-draper, Sept. 4 and Oct. 2 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Cornish & Parnell, Bristol.—Fiat dated Aug. 14.

EDMUND CHADWICK, JOSEPH SHAW, and ABRAHAM GARTSIDE, Oldham, Lancashire, cotton spinners, (carrying on business at Oldham, under the firm of Chadwick, Shaw, & Co.), Sept. 4 and 25 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Schofield, and Ascroft, Oldham; Gregory & Co., 1, Bedford-row, London.—Fiat dated Aug. 13.

Meetings.

Thomas Dennis, Rochford, Essex, licensed victualler, Sept. 4 at half-past 12, Court of Bankruptcy, London, pr. d.—*Charles Lamdin*, Newbury, Berkshire, upholsterer, Sept. 12 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Lewis Pesman Capua*, Duke's-place, Aldgate, London, fruit merchant, Sept. 12 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. Cutbush*, Kennington, near Ashford, Kent, nurseryman, Sept. 12 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Grant*, Cardiff, Glamorganshire, clock maker, Sept. 11 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Matthew Sibson*, The Grove, near Wrexham, Denbighshire, cattle dealer, Sept. 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Sikes*, *Henry Sikes*, and *Thomas Wilkinson*, London, bankers, Sept. 14 at 11, Court of Bankruptcy, London, fin. div.—*John Sheppard*, Shirley, Southampton, common brewer, Sept. 11 at 12, Court of Bankruptcy, London, div.—*Charles Beasley*, Bristol, mercer, Sept. 11 at 11, District Court of Bankruptcy, Bristol, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Barlow, Wharf-road, City-road, Middlesex, engineer, Sept. 14 at half-past 12, Court of Bankruptcy, London.—*Edward Brown*, Ixworth, Suffolk, innkeeper, Sept. 14 at 11, Court of Bankruptcy, London.—*Robert Roberts*, Toxteth-park, near Liverpool, grocer, Sept. 12 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Ellis*, Liverpool, printer, Sept. 12, District Court of Bankruptcy, Liverpool.—*George Bate*, Bloomsbury, Wolverhampton, Staffordshire, joiner, Sept. 15 at 12, District Court of Bankruptcy, Birmingham.—*Edward Ash Ball*, Manchester, share broker, Sept. 12 at 12, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Sept. 11.

Wm. Simmons, Marden, Kent, dealer and chapman.—*Lachlan M'Lauchlan*, Liverpool, merchant.—*John Morris*, Brecon, druggist.—*Thos. Jas. Fehr*, Birmingham, dealer in bonnets.—*Wm. Giscard*, Ely, Cambridgeshire, watchmaker.—*Silvester Sill*, Worcester, draper.

Scotch Sequestration.

Wm. Brown, Glasgow, corn factor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Cowduck, Little Brighton, near Great Crosby, Lancashire, labourer, Aug. 27 at 10, Liverpool District County Court, at Liverpool.—*Robt. Shepherd*, Little Brighton, near Great Crosby, Lancashire, plumber, Aug. 27 at 10, Liverpool District County Court, at Liverpool.—*Joseph Turner*, Bury, Lancashire, operative cotton weaver, Aug. 29 at 12, County Court of Lancashire, at Bury.—*William Barlow*, Holmfirth, Yorkshire, pork butcher, Sept. 3 at 11, County Court of Yorkshire, at Holmfirth.—*R. C. Purnell*, Worcester, carpenter, Sept. 18 at 10, County Court of Worcestershire, at Worcester.—*Wm. P. Denne*, Sittingbourne, Kent, painter, Sept. 11 at 10, County Court of Kent, at Sittingbourne.—*Herman Schirmacher*, Higher Traumere, Bebington, Cheshire, dealer in music, Aug. 31 at 10, County Court of Cheshire, at Birkenhead.—*Wm. Hill*, Cullompton, Devonshire, brewer, Sept. 13 at 10, County Court of Devonshire, at Tiverton.—*James Taylor*, Tiverton, Devonshire, painter, Sept. 13 at 10, County Court of Devonshire, at Tiverton.—*Cornelius Springett*, Linton, Kent, farmer, Sept. 4 at 12, County Court of Kent, at Maidstone.—*Eliz. Mercer*, Harrietsham, Kent, grocer, Sept. 4 at 12, County Court of Kent, at Maidstone.—*James John Carver Guppy*, Charmouth, Dorsetshire, veterinary surgeon, Sept. 10 at 10, County Court of Devonshire, at Axminster.

Saturday, Aug. 18.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Geo. Coleman, Kington, Herefordshire, baker, No. 33,651 T.; E. B. Price, assignee.—*Wm. Ball*, Mill-lane, Tooley-street, Southwark, Surrey, tailor, No. 60,900 T.; W. Gilpin, assignee.—*H. Godfrey*, Milton-next-Gravesend, Kent, carpenter, No. 60,667 T.; George Frederick Cobham, assignee.—*George Dixon*, Cirencester, Gloucestershire, grocer, No. 71,289 C.; Wm. Brendon, assignee.—*Robert Winter*, Sheffield, Yorkshire, coal miner, No. 71,097 C.; Joshua Wortley, assignee.—*S. Anstey*, Newington-causeway, Surrey, draper, No. 60,659 T.; John Young, assignee.—*Frederick Maynard*, Adam's-row, Hampstead-road, Middlesex, butcher, No. 60,676 T.; John Broadbent, assignee.—*Philip Maynard*, Adam's-row, Hampstead-road, Middlesex, butcher's foreman, No. 60,677 T.; Wm. B. Boatman, assignee.—*Samuel Prichard*, Brecon, saddler, No. 71,241 C.; A. M. E. G. Holford, assignee.—*John Coulstock*, Croydon, Surrey, victualler, No. 60,896 T.; John Page, assignee.—*Wm. Bunting Boatman*, Great Dover-street, Newington, Surrey, tailor, No. 60,897 T.; Joseph Ivimey, assignee.

Saturday, Aug. 18.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Jacob Castell, High-street, Southwark, Surrey, assistant to a coffee-house keeper: in the Gaol of Horsemonger-lane.—*F. T. Gell*, Lansdowne-terrace, Francis-street, Walworth, Surrey, attorney at law: in the Queen's Prison.—*John King*, Ropemaker-street, Little Moorfields, London, saddler: in the Debtors Prison for London and Middlesex.—*C. L. Barlow*, Great Ormond-st., Lamb's Conduit-street, Middlesex, teacher of music: in the Debtors Prison for London and Middlesex.—*Wm. Cooper*, Hadley, near Barnet, Middlesex, contractor: in the Debtors Prison for London and Middlesex.—*G. Lumley*, Stratford-place, Richmond-road, Dalston, Middlesex, in no

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trade: in the Debtors Prison for London and Middlesex.—*Wm. Middlecoat*, Great Chart-street, Hoxton, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*John Kay*, Hampton-terrace, Camden-town, Middlesex, jeweller: in the Debtors Prison for London and Middlesex.—*Chas. Jenner*, New North-street, Finsbury, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*Stephen Wm. Cooper*, New Church-street, St. Marylebone, Middlesex, exporter and importer of fancy goods: in the Debtors Prison for London and Middlesex.—*Rich. Prince*, Henry-st., Portland-town, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*S. Knight*, Dean-street, Soho, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—*Con Wallis*, Union-cottage, Plumstead-common, Plumstead, Kent, bricklayer: in the Queen's Prison.—*R. W. Peacock*, Upper Whitecross-street, St. Luke's, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Wm. Gray Abbot*, Bridge-street, Southwark-bridge-road, Surrey, share dealer: in the Queen's Prison.—*Henry Perkins*, Prince's-street, Edgeware-road, St. Marylebone, Middlesex, smith: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Mary Marks, Stanhope-cottage, East-lane, Walworth, Surrey, widow: in the Gaol of Horsemonger-lane.

(On their own Petitions).

James Beard, Toxteth-park, Liverpool, retail dealer in ale: in the Gaol of Lancaster.—*Charles Callen*, Newport, Monmouthshire, sailmaker: in the Gaol of Monmouth.—*John Davenport*, Manchester, manager of a beer-house: in the Gaol of Lancaster.—*Jas. Fenton*, Reardale-terrace, Islington, Middlesex, commercial traveller: in the Gaol of Nottingham.—*James Glover*, Kirkgate, Wakefield, Yorkshire, publican: in the Gaol of York.—*Wm. Greenwell*, Liverpool, cattle dealer: in the Gaol of Lancaster.—*Joseph Taylor Hobson*, Liverpool, general agent: in the Gaol of Lancaster.—*John Hindle*, Accrington, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Wm. Sparks*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*George Barlow Scholes*, Hulme, Manchester, commercial traveller: in the Gaol of Lancaster.—*William Knott*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Joseph Brook Wooler*, Salford, Lancashire, beer retailer: in the Gaol of Lancaster.—*John Dickinson*, Manchester, beer retailer: in the Gaol of Lancaster.—*Caleb Rothwell*, Oldham, Lancashire, lodging-house keeper: in the Gaol of Lancaster.—*Edward Briscoe*, Horton, near Malpas, Cheshire, labourer: in the Gaol of Chester.—*Geo. Buckthought*, St. Columb Major, Cornwall, butcher: in the Gaol of Bodmin.—*Isaac Beaumont*, Stockport, Cheshire, assistant druggist: in the Gaol of Chester.—*James Holland*, Brayford, Lincoln, in no business: in the Gaol of Lincoln.—*Thomas Birt*, Holme, Biggleswade, Bedfordshire, master of the Biggleswade Union Workhouse: in the Gaol of Bedford.—*William Taylor*, Wakefield, Yorkshire, coach builder: in the Gaol of York.—*Charles Harrison*, Stone Ferry, near Hull, Yorkshire, travelling tea dealer: in the Gaol of York.—*Frances Holmes*, Butterwick, near Boston, Lincolnshire, widow, out of business: in the Gaol of Lincoln.—*Wm. Shrubsole Palmer*, Woolwich, Kent, provision dealer: in the Gaol of Maidstone.—*Sam. Massey*, Preston, Lancashire, ironmoulder: in the Gaol of Lancaster.—*Edward Smith*, Burscough, near Ormskirk, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Adolphus Frederick Lloyd*, Brighton, Sussex, cook and confectioner: in the Gaol of Lewes.—*Thomas Chrismas*, Tivoli, near Hastings, Sussex, brewer: in the Gaol of Lewes.—*John Crapp*, St. Columb Major, Cornwall, labourer: in the Gaol of Bodmin.—*Ralph Humble*, Etherley Hill, near Bishop-Auckland, Durham, pitman: in the Gaol of Durham.—*Thos. Blackwell*, Watt's-cross, Tonbridge, Kent, miller: in the Gaol of Maidstone.—*Thomas Newton*, Blackburn, Lancashire, cotton spinner: in the Gaol of Lancaster.—*Wm. Fairclough*, Birkenhead, Cheshire, licensed victualler: in the Gaol of Chester.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, *Sept.* 4 *at* 12.

Thomas Wm. Pearce, Gravesend, out of business.—*James Marsh Bennett*, Dover, out of business.—*Thos. Edwin Roper*, Milton-next-Gravesend, builder.—*William Shrubsole Palmer*, Woolwich, provision dealer.—*Thomas Blackwell*, Watt's-cross, Tonbridge, miller.

At the County Court of Cornwall, at BODMIN, *Sept.* 5 *at* 10.

John Hoskins, St. Austell, ironmonger.—*Geo. Buckthought*, St. Columb Major, butcher.—*John Crapp*, St. Columb Major, labourer.

At the County Court of Herefordshire, at HEREFORD, *Sept.* 20 *at* 10.

William Parsons, Hereford, bailiff.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Bentinck Rigg, Chelsea, Middlesex, a retired clerk: 4*s.* 10*d.* in the pound, (making 17*s.* 3¼*d.*)—*Hen. John O'Callaghan*, Great James-street, Lisson-grove, Middlesex, lieutenant in the Navy on half-pay: 1*s.* 3½*d.* in the pound.—*Henry Lewin*, Macclesfield-street, Soho, Middlesex, surgeon in the Navy: 5*s.* 7*d.* in the pound, (making 12*s.* 7*d.*)—*Jas. Quick*, Woodbury, Devonshire, baker: 1*s.* 5½*d.* in the pound.—*Edw. London*, Fountain-place, City-road, Middlesex, bookbinder: 8½*d.* in the pound.—*Fisher Jackson*, Regent-street, Mile-end Old-town, Middlesex, pensioner of the East India Company: 3*s.* 5¾*d.* in the pound, (making 20*s.*)—*John Liptrot Hatton*, Albany-street, Regent's-park, Middlesex, teacher of the pianoforte: 10*d.* in the pound.—*Jas. Rogerson Hunt*, Great Marlow, Bucks, tailor: 1*s.* 1*d.* in the pound.—*George Augustus Hennessey*, Theobald's-road, Red Lion-square, Middlesex, victualler: 2*d.* in the pound.—*Joseph Roberts*, Homerton, Middlesex, boot and shoe maker: 7*s.* 10*d.* in the pound.—*James Henry Horrex*, Castle Hedingham, Essex, tinman: 2*s.* 1¾*d.* in the pound.—*John Balls*, Great Yarmouth, Norfolk, master mariner: 1*s.* 0¾*d.* in the pound.—*Edward Gill*, Chester, tinman: 3*s.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 10 *and* 1.

FRIDAY, AUGUST 24.

BANKRUPTS.

FRANCIS DAVID LEWIS, Castle-court, Birchin-lane, London, and Oxford-street, Middlesex, printer, dealer and chapman, Aug. 31 and Oct. 5 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Pain & Hatherly, 25, Eastcheap.—Fiat dated Aug. 18.

JAMES CALDWALL, King William-street, London, and Bell-wharf, Shadwell, Middlesex, self-fleeting windlass manufacturer, dealer and chapman, Aug. 31 at half-past 11, and Oct. 5 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Grayson, Newcastle-upon-Tyne; Philipe, 9, Gray's-inn-square.—Fiat dated Aug. 22.

JAMES BYFORD SPENCER, South Bemfleet, near Rayleigh, Essex, baker, dealer and chapman, Aug. 31 at 12, and Oct. 5 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Buchanan, 8, Basinghall-street.—Fiat dated Aug. 18.

WILLIAM BIRD, Great Yarmouth, Norfolk, hotel keeper, Sept. 1 at half-past 1, and Oct. 5 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Woods, Great Yarmouth; Maples & Co., 6, Frederick's-place, Old Jewry.—Fiat dated Aug. 14.

GEORGE HENRY BLAKE, Mount-street, Grosvenor-square, Middlesex, cabinet maker, Sept. 5 and 28 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Heather & Moger, Paternoster-row.—Fiat dated Aug. 22.

EDWARD NAIRNE, Warnford-court, London, stock broker, dealer and chapman, Sept. 3 at 12, and Sept. 28 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Messrs. Hilleary, Fenchurch-street.—Fiat dated Aug. 16.

SHEPARD MAYFIELD, Leamington Priors, Warwickshire, upholsterer, dealer and chapman, Sept. 1 and 29 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Hodgson, Birmingham; J. & J. H. Linklater, 1, Charlotte-row, Mansion-house, London.—Fiat dated Aug. 18.

WILLIAM SIMPSON MORE, Liverpool, share broker, dealer and chapman, Sept. 4 and Oct. 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Anderson, Liverpool; Vincent, Temple, London.—Fiat dated Aug. 18.

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ELIZABETH BUSSELL, ROBERT BUSSELL, and CHARLES BUSSELL, Gloucester, builders, plumbers, and glaziers, dealers and chapmen, Sept. 6 and Oct. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Smallridge, Gloucester; Rogerson, Lincoln's-inn-fields, London.—Fiat dated Aug. 18.

WALTER HOLMES, Plymouth, Devonshire, baker, dealer and chapman, Sept. 11 at 11, and Sept. 27 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Chapman, Devonport; Stogdon, Exeter; J. & W. Galsworthy, 2, Charlotte-row, Mansion-house, London.—Fiat dated Aug. 1.

JOHN JACKSON, South Shields, Durham, common brewer and banker, Aug. 31 at half-past 12, and Oct. 5 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Fiat dated Aug. 18.

JAMES SANER, Kingston-upon-Hull, tailor and draper, dealer and chapman, Sept. 5 and 26 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Levett & Champney, Hull; Jackson, New-inn, London.—Fiat dated Aug. 16.

Meetings.

Robert Taylerson, Felling Iron Works, Felling Shore, Durham, iron manufacturer, Sept. 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Ebenezer Rogers*, Newport, Monmouthshire, firebrick manufacturer, Oct. 1 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Joseph Travis Clay*, Rastrick, Halifax, Yorkshire, fancy cloth manufacturer, Sept. 17 at 1, District Court of Bankruptcy, Leeds, aud. ac.—*Robert Lodge*, Starbotton, Kettlewell, Yorkshire, miner, Sept. 17 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Sept. 18 at 11, div.—*Jos. Armitage*, *Jas. Armitage*, *W. H. Armitage*, and *Chas. Armitage*, Marsden, Almondbury, Yorkshire, woollen cloth manufacturers, Sept. 18 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*Daniel Bradshaw*, Netherton, Almondbury, Yorkshire, merchant, Sept. 18 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Peter Jones* and *Edward Everett*, Liverpool, joiners, Sept. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Wyles*, Gloucester, grocer, Sept. 28 at 11, District Court of Bankruptcy, Bristol, div.—*John Berwick*, Windhill, Calverley, Yorkshire, worsted stuff manufacturer, Sept. 18 at 12, District Court of Bankruptcy, Leeds, div.—*Jas. Wood*, Leeds, Yorkshire, joiner, Sept. 17 at 12, District Court of Bankruptcy, Leeds, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Richard Millar, Prince's-street, Spitalfields, Middlesex, oilman, Sept. 14 at 1, Court of Bankruptcy, London.—*Charles Wm. Sturley*, Norwich, cabinet maker, Sept. 14 at 11, Court of Bankruptcy, London.—*Mark Leppingwell Munson*, Hadleigh, Suffolk, victualler, Sept. 17 at half-past 11, Court of Bankruptcy, London.—*Thomas Binning*, Pulford-street, Pimlico, Middlesex, victualler, Sept. 17 at half-past 11, Court of Bankruptcy, London.—*Edward Bridcut*, Cheltenham, Gloucestershire, ironmonger, Sept. 25 at 11, District Court of Bankruptcy, Bristol.—*Edmund Moody* the younger, Frome Selwood, Somersetshire, ironfounder, Sept. 25 at 12, District Court of Bankruptcy, Bristol.—*Edward Yates*, Leeds, Yorkshire, veterinary surgeon, Sept. 18 at 1, District Court of Bankruptcy, Leeds.—*Benj. Wright*, Coalbrookdale, Madeley, Shropshire, coach proprietor, Sept. 18 at 11, District Court of Bankruptcy, Birmingham.—*William Sedgley*, Barton-on-the-Heath, Warwickshire, farmer, Sept. 18 at 12, District Court of Bankruptcy, Birmingham.—*Samuel Warden*, Birmingham, hosier, Sept. 18 at 10, District Court of Bankruptcy, Birmingham.—*Robert Murray*, Liverpool, woollen-draper, Sept. 17 at 11, District Court of Bankruptcy, Liverpool.—*James Haworth*, Clitheroe, Lancashire, common brewer, Sept. 18 at 12, District Court of Bankruptcy, Manchester.—*Thomas Procter*, Preston, Lancashire, spindle maker, Sept. 17 at 12, District Court of Bankruptcy, Manchester.—*Robert Taylor Grundy*, Bury, Lancashire, money scrivener, Sept. 15 at 11, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Sept. 14.

J. Harrison, Hereford, mercer.—*Lemuel Gulliver Groves*, Charlton Marshall, Dorsetshire, horse dealer.—*Wm. Emmerson*, North Shields, Northumberland, banker.—*Robt. Tippler*, Great Tower-street, London, colonial broker.—*Jeffery Mayn*, Rayleigh, Essex, auctioneer.—*Edward Hammond*, Rotherhithe-street, Rotherhithe, Surrey, oil crusher.

Scotch Sequestrations.

Wm. Fraser, Broxburn, roman cement manufacturer.—*J. Thain*, Dundee, merchant.—*David Forsyth*, Glasgow, innkeeper.—*Peter Dow*, Edinburgh, draper.—*M'Donald & Ballardie*, Glasgow, plumbers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Linay, King's Lynn, Norfolk, tailor, Sept. 8 at 4, County Court of Norfolk, at King's Lynn.—*Wm. Rawn*, Gaywood, Norfolk, carpenter, Sept. 8 at 4, County Court of Norfolk, at King's Lynn.—*Robt. Dawson*, Linthwaite, Almondbury, Yorkshire, cloth manufacturer, Sept. 13 at 10, County Court of Yorkshire, at Huddersfield.—*John Drake*, Huddersfield, Yorkshire, beer retailer, Sept. 13 at 10, County Court of Yorkshire, at Huddersfield.—*James Miller* the elder, King's Lynn, Norfolk, lighterman, Sept. 8 at 4, County Court of Norfolk, at King's Lynn.—*John Hirst*, Linthwaite, Almondbury, Yorkshire, cloth manufacturer, Sept. 13 at 10, County Court of Yorkshire, at Huddersfield.—*John Brookes*, Burslem, Staffordshire, licensed victualler, Aug. 31 at 10, County Court of Staffordshire, at Hanley.—*Edwin Stokes*, Kingswinford, Staffordshire, out of business, Sept. 24 at 10, County Court of Worcestershire, at Stourbridge.—*Richard Wennacott*, Tavistock, Devonshire, builder, Sept. 13 at 11, County Court of Devonshire, at Plymouth.—*Chas. Grizzell*, Bishop's Cleeve, Gloucestershire, National schoolmaster, Sept. 12 at 10, County Court of Gloucestershire, at Winchcomb.—*John Welbourn*, Plungar, Leicestershire, dealer in bread, Sept. 8 at 9, County Court of Nottinghamshire, at Bingham.—*John Freeman*, Gedney Marsh, near Holbeach, Lincolnshire, farmer, Sept. 6 at 11, County Court of Lincolnshire, at Holbeach.—*Philip Hughes*, Wollerton, Hodnet, Shropshire, blacksmith, Sept. 10 at 12, County Court of Shropshire, at Drayton.—*Richard Gerard*, St. Asaph, Flintshire, attorney's clerk, Sept. 12 at 11, County Court of Flintshire, at St. Asaph.—*Francis Cornwell*, Downham, Isle of Ely, Cambridgeshire, carpenter, Sept. 12 at 12, County Court of Cambridgeshire, at Ely.—*Abraham Lang*, Bridgwater, Somersetshire, carrier, Sept. 20 at 11, County Court of Somersetshire, at Bridgwater.—*James Houston*, Exeter, tea dealer, Sept. 15 at 10, County Court of Devonshire, at Exeter.—*Rich. Culpin* the younger, Spalding, Lincolnshire, publican, Sept. 5 at 12, County Court of Lincolnshire, at Spalding.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at the Castle of Exeter, *Sept.* 15 *at* 10.

Wm. Oke, Broadwood-widger, husbandman.—*E. Bartlett* the younger, Buckfastleigh, husbandman.—*F. L. Painter*, Broadwood-widger, out of business.

At the County Court of Glamorganshire, at Cardiff, *Sept.* 8.

Rees Gabe, Pontmorlais, cordwainer.

At the County Court of Monmouthshire, at Monmouth, *Sept.* 21 *at* 2.

C. Callen, Pillgwenelly, near Newport, sail maker.

At the County Court of Bedfordshire, at Bedford, *Sept.* 2 *at* 3.

James Longland, Turvey, carpenter.—*Thos. Birt*, Holme Biggleswade, master of the Biggleswade Union Workhouse.

Insolvent Debtor's Dividend.

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The Jurist

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*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, SEPTEMBER 1, 1849.

The law relating to artificial and subterraneous watercourses was fully discussed in the recent case of *Wood and Others* v. *Waud and Others*, (13 Jur., part 1, p. 472). The material facts on which the judgment of the Court proceeded may be thus briefly stated:—The action was on the case for fouling and diverting a natural watercourse used by the plaintiffs, and for diverting two artificial subterraneous watercourses, which had flowed more than twenty years into the natural stream above the premises of the plaintiffs. The natural stream was immemorial; the artificial streams were not so, but had existed for more than sixty years. They had not, however, been used by the plaintiffs, except as part of the natural stream, previous to the year 1838. The defendants' works, which caused the injuries, had been erected within twenty years, and they had not obtained any right by long enjoyment or grant. The pollution of the natural stream by the defendants caused no actual damage to the plaintiffs, because it was already so polluted by others, and the water was equally applicable to useful purposes as before. The water in the artificial streams was diminished only by five per cent.

Upon this state of facts the Court of Exchequer delivered judgment, from which the following principles may be deduced:—

First, it appears that the right to the use of a natural stream is founded on the law of nature, and not on any supposed grant; that it is an incident to the land through which the water flows, and is independent of the acquiescence of neighbouring owners.

Secondly, the right to artificial watercourses, as against the *parties creating them*, depends upon the character of the watercourse, whether it be of a permanent or temporary nature, and upon the circumstances under which it is created. "The flow of water from a drain, for the purpose of agricultural improvement, for twenty years, could not give a right to the neighbour, so as to preclude the proprietor from altering the level of his drain for the greater improvement of the land." If the water was polluted, so as to be injurious to the tenant below, the case would be different.

Thirdly, but, as between proprietors of the land through which the artificial watercourse passes, a distinction prevails where it flows into a natural stream and where it does not. In the former case, the riparian proprietors, having a right to the use of the natural stream, as incident to their property on the banks and bed of it, would be entitled to all the water "which actually formed part of that stream, as soon as it had become part, whether such water came by natural means, as from springs, or from the surface of the hills above, or from rains or melted snow, or was added by artificial means, as from the drainage of lands or of colliery works." The artificial united to the natural stream, therefore, becomes accessory to it, and subject to a like dominion. With respect, however, to an artificial not united to a natural stream, it is not given to one more than another of the proprietors of the land through which it flows; "each may take and use what passes through his land, and the proprietor of land below has no right to any part of that water until it has reached his own land; he has no right to compel the owners above to permit the water to flow through their land for his benefit, and consequently he has no right of action if they refuse to do so. If they polluted

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the water, so as to be injurious to the tenant below, the case would be different."

Fourthly, though no actual damage be caused by the pollution of a natural stream, yet it is an injury to the *right* of the parties entitled to have it flow through their land in its natural state; and as, by twenty years' user, a right thus to pollute it might be established, there is damage in point of law.

Fifthly, if a stream, to the use of which another person is entitled, be only used by the riparian proprietor above, and his family, by drinking it, or for domestic purposes, no action would lie against him; but if a mode of enjoyment quite different from the ordinary one is adopted, by which the water is diverted into a reservoir, and there delayed for the purposes of a manufacture, an action is maintainable; and so, if, by that mode of dealing with the water, it is sensibly diminished in quantity. "In America, a very liberal use of the water, for the purposes of irrigation, and for carrying on manufactures, has been allowed. In France, also, the right of the riparian proprietor to the use of the water is not strictly construed. He may use it 'en bon père de famille, à son plus grand avantage.' He may make trenches to conduct the water to irrigate his land, if he return it with no other loss than that which irrigation caused. In England, it is not very clear that such a user would be permitted, as arising out of the right to the use of the water jure naturæ."*

THE ACT (12 & 13 VICT. c. 108) TO AMEND THE JOINT-STOCK COMPANIES WINDING-UP ACT, 1848†.

We have understood that doubts are entertained whether certain orders, obtained on petitions presented under the Winding-up Act, 1848, can be acted upon since the passing of the 12 & 13 Vict. c. 108, on the ground that they relate to companies to which it is declared, by the act of 1849, that the act of 1848 shall not apply. We cannot conceive what ground there can be for any doubt in the matter. The old Winding-up Act was, as to certain companies, viz. railroad companies, thought at first not applicable. It was afterwards decided, by the highest court but one, that it is applicable; and that decision is now under appeal in the highest court. That the language of the act is free from ambiguity it would be too much to assert, when a learned and peculiarly acute judge has put on it a construction different from that which is at present its received construction, and when eminent counsel have thought it advisable to carry the question beyond the court of the Lord Chancellor. Still, the act of 1848 must speak for itself: it was the law till the 1st August, 1849, and whatever companies it embraced, according to its true construction, were, if brought in due form, within its operation before the 1st August, 1849, lawfully subjected to the effect of its clauses.

What, then, has the act of 1849 done? It enacts, that, "notwithstanding anything in the act of 1848 contained importing a more limited application thereof, the same shall apply to all partnerships, associations, and companies, whereof the partners or associates are not less than seven in number, whether incorporated or unincorporated, and whether formed or subsisting before or after the passing of the said act or this act, *other than and except railway companies incorporated by act of Parliament, to which companies such act shall not apply*." And it further enacts, "that this act shall be taken and construed, *so far as practicable*, as a part of the said Joint-stock Companies Winding-up Act, 1848."

The effect of this is, not to put a construction on the act of 1848, but to enlarge or repeal it pro tanto for the future. The act of 1849 does not purport to enact that the act of 1848 shall be construed to exclude railway companies, but that it shall not apply to such companies; so that if it did or does, according to its true construction, apply to railway companies, so far its powers are repealed, and, from the 1st August, 1849, cease. But if its provisions do, according to their true construction, extend to and include railway companies, then, although they are from the 1st August, 1849, repealed, there is nothing in the act of 1849 to deprive them of their force antecedently to the 1st August, 1849; and consequently it is, as it seems to us, perfectly clear, that anything duly done under them before that date is not, by the act of 1849, nullified.

Now, if that be so, can it be rationally argued that an order, lawfully made under the act of 1848, is not to be worked out after the act of 1849, because that act repeals the act of 1848 as to the particular subject-matter? If the act of 1848 had authorised the payment of money in particular cases, and directed the giving of vouchers within a particular time, and in the interval the act of 1849 had been passed, repealing all that related to the payment of money in the particular case, could it be said that a payment of money made under the first act would be lawful, but that the party paying should be deprived of his right to have vouchers? So in the case under consideration, the order on petition for winding-up, in the matter of a railway company being lawful (assuming it to be so) under the act of 1848, are not all the subsequent stages merely completion of that entire process, which, being lawfully commenced, the subsequent act cannot be held to make it unlawful to complete, in the absence of express words?

No such express words are to be found in the act of 1849: it simply says that the act of 1848 *shall* not apply to certain railway companies; not that it did not apply to them; not that the machinery of the act of 1848 which it leaves undisturbed, shall not be employed to complete any matter which it was competent to the Court of Chancery to begin under the act of 1848.

The whole effect of the late act is, we conceive clearly prospective: it, in effect, repeals the former act as to certain companies, if those companies were included within it. It leaves everything up to that period as it was before; and the question will, there-

* We have been requested by the reporter to mention two slight errors which have occurred in the report of *Wood* v. *Waud*. At p. 475, it should have been stated that *H. Hill* was for the defendants, and *Cowling* for the plaintiffs; and at p. 478, *for* "Code Civil, p. 640," *read* "Code Civil, § 640."

† Post, p. 319. As this act is of great importance, and will be applicable to proceedings going on during the vacation, it has been thought desirable to print it at once.

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fore, simply remain, as to all orders made under the act of 1848, are they within the true construction of that act, looking at it as if the act of 1849 had never existed?

Now, is there anything inconsistent with this view, in the clause enacting that the act of 1849 shall be taken and construed, as far as practicable, as a part of the act of 1848? We apprehend not. The only effect of that clause is to incorporate the enactments of the two acts, so far as they are not inconsistent. To suppose that it means this—that a provision of the later act, repealing a provision of the preceding one, shall be taken as part of it—would be to attribute to the Legislature the absurdity of saying, an act shall be read as if it said, on the face of it, "a certain thing shall be, and the same thing shall not be." The act of 1849 cannot mean, therefore, that it refers back the exclusion of railway companies to the passing of the act of 1848, or that the act of 1848 shall be held to exclude railways, unless that act does, of itself, exclude them.

The recent act contains a great many clauses of considerable importance, to the consideration of which, in connexion with the original Winding-up Act, we shall probably return in these pages during the course of the vacation.

Among them is, however, one which we cannot allow to escape immediate notice, on account of its importance, not merely as regards the business of winding up of companies, but with reference to the general simplification of Chancery proceedings. It is by the third clause enacted, "that every petition for dissolution and winding-up, or winding-up, may be verified by affidavit annexed thereto, or subscribed at the foot thereof, at the time of presenting and filing the same, in the form or to the effect set out in the Schedule (B.) annexed to this act; and that no costs of any further or additional affidavit in verification shall be allowed, unless specially allowed by the court."

The Schedule referred to is as follows:—

"*Affidavit verifying Petition for Dissolution and winding-up, or winding-up.*

"In the Matter of the Joint-stock Companies Winding-up Acts, 1848 and 1849, and of the —— Company.

"I, *A.B.*, the petitioner in the above-written [*or* annexed, *as the case may be*,] petition, make oath and say, that so much of the above-written [*or* annexed, *as the case may be*,] petition as relates to my own acts and deeds is true, and so much thereof as relates to the acts and deeds of any other person I believe to be true.

"Sworn &c."

Is there any good reason why all affidavits verifying petitions and injunction bills should not be framed on this brief model?

Masters in Chancery.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Charles Colyer, of Dartford, Kent; Francis Simonds, of Shepton Mallet, Somersetshire.

PUBLIC GENERAL STATUTE.

12 & 13 Victoriæ.

CAP. CVIII.

An Act to amend the Joint-stock Companies Winding-up Act, 1848. [1st August, 1849.]

Sect. 1. *The* 11 *&* 12 *Vict. c.* 45, *to extend to all Partnerships, Associations, and Companies consisting of not less than Seven Members.*

2. *Petition for Dissolution, &c. to be advertised in Newspapers, besides Advertisement in Gazette.*

3. *Petition for Dissolution, &c. may be verified by Affidavit.*

4. *On winding-up on Suit, Court may order a Resort to the Act.*

5. *Extension of Provision as to Official Manager's Sureties; Withdrawal, Increase, or Diminution of Security; vacating of Recognisances.*

6. *Remuneration of Official Manager to be fixed by Master according to the Scale herein mentioned.*

7. *Provisions as to Remuneration, &c. of Official Manager to apply to Provisional Manager.*

8. *Official Manager may indorse Bills and Notes, and raise Money on Security of Assets.*

9. *The Word "Contributory" to include alleged Contributories, as respects the Attendance and Representation of Parties.*

10. *Authority of Official Manager where more than One appointed.*

11. *Master may fix Remuneration of Official Manager's Solicitor.*

12. *Master may award Costs.*

13. *Acts of Official Manager to be valid as respects third Parties, though not approved of by Master.*

14. *Bankrupt or Insolvent Contributories to be represented by their Assignees.*

15. *Master may adjourn Proceedings generally, or take up without Adjournment.*

16. *Master may dispense with Advertisements.*

17. *Master may review his Orders and Proceedings.*

18. *List of Contributories, &c., as prepared by Official Manager, to be Evidence.*

19. *Master may require any Evidence to be given which might have been obtained in a Suit by the Company.*

20. *District Commissioners of Bankruptcy, and County Court Judges in England, and Commissioners of Bankrupt and Assistant Barristers in Ireland, and in certain Cases Vice-Warden or Registrar of Stannaries Court, to be Commissioners for receiving Evidence.*

21. *Master may order the Examination of Persons in Scotland, whether Contributories to the Company or not, as to the Estate, Dealings, &c. of or with such Company.*

22. *Witnesses summoned before Commissioners to be within Provisions, &c. of Act, and Costs to be Costs in the winding-up.*

23. *Summonses from England to be good in Ireland, and vice versâ.*

24. *Affidavits, &c. may be sworn in Ireland, Scotland, or the Colonies, before any competent Court or Person.*

25. *Official Manager not to be settled by Master unless Parties differ.*

26. *In Notices of Inclusion in or Exclusion from List of Contributories, sufficient to state for what Interest Party is included or excluded.*

27. *Powers of Inclusion or Exclusion may be exercised so long as any Shares remain unadjudicated upon.*

28. *Repeal of Sect.* 84 *of* 11 *&* 12 *Vict. c.* 45. *Master to make Calls on Contributories for the Time being on the List, and to have regard to any probable Default of Payment.*

29. *Official Manager may compound Claims, &c. of unascertained Amount.*

30. *Official Manager may prove against Estate of bankrupt or insolvent Contributories, &c., and receive Dividends. If Creditors of the Company also prove, the Dividends payable to the Official Manager*

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are to go amongst those Creditors. If any such Creditor be the Petitioning Creditor under the Fiat, the Dividends received by him are to be set against Dividends payable to the Official Manager.

31. *Masters to have Powers to order Special Juries, new Trials, and Interpleaders.*
32. *Master may make Orders in the Presence of the Parties, though varying from the Notice.*
33. *Rehearings not to be moved for after Three Weeks.*
34. *Order need not be reversed on Appeal for Want of Form only.*
35. *Per-centage to be taken in lieu of Fees to Suitors' Fee Fund.*
36. *As to Omission of Christian Names in Notices, Prepayment and Return of Letters sent by the Post.*
37. *Extension of Lord Chancellor's Power to make Rules and Orders.*
38. *Act to be Part of Joint-stock Companies Winding-up Act*, 1848.
39. *Short Title.*
40. *Act not to apply to Scotland.*
41. *Act may be amended, &c.*

Whereas it is expedient to amend as after mentioned the Joint-stock Companies Winding-up Act, 1848, [11 & 12 Vict. c. 45]: Be it enacted, &c., that, notwithstanding anything in the said act contained importing a more limited application thereof, the same shall apply to all partnerships, associations, and companies whereof the partners or associates are not less than seven in number, whether incorporated or unincorporated, and whether formed or subsisting before or after the passing of the said act or this act, other than and except railway companies incorporated by act of Parliament, to which companies such act shall not apply: provided always, that upon the hearing of any petition for the dissolution of any such partnership, association, or company, the Court shall, in considering the necessity or expediency of any such dissolution, or the terms or special directions subject to which it may think fit to allow such dissolution, have regard to any articles of partnership or other contract which shall be subsisting between the members of such partnership, association, or company: provided, nevertheless, that nothing herein contained shall affect the jurisdiction of the Court of Stannaries in Cornwall; and that nothing in this act nor in any act herein referred to contained shall extend or be construed to extend to any partnership, association, or company formed for the working of mines on the principle commonly called the "Cost-book Principle," within the said Stannaries and jurisdiction of the said Court, unless the owner or owners of one-tenth in value of the shares in any such mine, as shall appear on the cost-book, shall present a petition to the Lord Chancellor or to the Master of the Rolls for the dissolution and winding-up, or for the winding-up, of the affairs of such company, which petition, and the parties thereto, and all proceedings thereupon, shall be subject to the provisions of this act and the acts herein referred to; and that on such petition being so presented, and notice thereof being given to the vice-warden by the party petitioning, the court of the said vice-warden, and the registrar and officers thereof, shall cease from entertaining and dealing with any cause touching such mine, except so far as may be allowed and directed by order of the Court of Chancery, in regard to any cause then or to be thereafter brought in the court of the said vice-warden, or in regard to any proceeding to be taken in furtherance of the said petition and the purposes of this act and the acts herein referred to; and that the said vice-warden and registrar, in taking such proceedings, shall have all the powers which any district commissioner of the Court of Bankruptcy now has in any matter which by virtue of this act and the acts herein referred to may be brought before him.

2. That when any petition for dissolution and winding-up, or for winding-up, the affairs of any company, under the said recited act, shall have been presented, every subsequent petition relating to the affairs of such company shall be addressed to and marked for the same judge, and such petitions shall, in addition to the advertisement thereof in the London Gazette or in the Dublin Gazette directed by the said act, be advertised at least seven clear days before the hearing thereof, and once at least in two London daily morning newspapers, or in two Dublin daily newspapers, (as the case may be), and also (in case the head or only office of the company be not in London, Westminster, or Southwark, or in Dublin) once at least in some newspaper in general circulation in the county, city, or borough where the head or only office, or the last known head or only office, of the company, is or was situate, and such advertisement may be in the form or to the effect set out in the Schedule (A.) annexed to this act; and every contributory shall be entitled to be furnished by the solicitor presenting any petition with a copy thereof within twenty-four hours after requiring the same, on paying at the rate of 4*d.* per folio of ninety words for such copy.

3. That every petition for dissolution and winding-up, or winding-up, may be verified by affidavit annexed thereto, or subscribed at the foot thereof, at the time of presenting and filing the same, in the form or to the effect set out in the Schedule (B.) annexed to this act; and that no costs of any further or additional affidavit in verification shall be allowed, unless specially allowed by the Court.

4. That the provision in the said act contained for empowering her Majesty's High Court of Chancery in England and Ireland respectively, in any decree or order for the dissolution of a company or of any other association or partnership, as therein mentioned, to be made in any suit then pending or thereafter to be instituted, and also by any order to be made after a decree for the dissolution of a company, association, or partnership in any such suit, to order that the affairs of such company, association, or partnership should be wound up under the provisions of the said act, and that the costs of winding-up the same should be paid and recovered according to the provisions of the said act, and for that purpose to give directions as therein mentioned, any decree or order so to be made to be deemed, if the said Court should so direct, an order absolute under the said act, shall extend in all respects to any decree or order of the Court for or relating to the winding-up of the affairs of any such company, association, or partnership as therein mentioned made in any suit now pending or hereafter to be instituted, and also to any order made after a decree for or relating to the winding-up of the affairs of a company, association, or partnership in any such suit.

5. That it shall be lawful for the Master for the time being acting in the winding-up of any company under the said act in respect of which an official manager has been or shall be appointed, if he think fit so to do, from time to time to allow any surety of such official manager to withdraw from his suretyship, or to become bound in a smaller sum, from time to time, upon his procuring another surety or sureties to become bound in a competent amount, and also to allow any surety from time to time to become bound in a larger sum, and to direct any new recognisances to be entered into accordingly; and also that it shall be lawful for the Master, in any case arising under the present provision, and also upon the death, bankruptcy, or insolvency of any surety, and the appointment of any new surety in his place, to order any surety's recognisance to be vacated: provided always, that nothing herein contained shall authorise the Master at any time to allow the total amount of the recognisances of all the sureties of any official manager for the time being to fall short of the sum in which such official manager is bound.

6. That, notwithstanding the provision in the said act contained for empowering the Court to allow, increase, or diminish from time to time the salary or remuneration of the official manager, it shall be lawful for the Master to exercise the said powers and discretions so given to the Court, and that whether as respects any official manager already appointed or hereafter to be appointed: provided always, that such salary or remuneration shall not, if it be by per-centage, unless the Court otherwise direct, exceed (in addition to any allowances or salaries to clerks or officers employed by such official manager in or about the winding-up of the company, such allowance or salary to be also fixed or approved by the Master) the rates or sums hereinafter mentioned; that is to say,

In respect of all monies arising from the estate of such company received by the official managers, and paid or divided among the creditors or contributories of the same under the provisions of the said act, which shall not exceed 100,000*l.*, 5*l.* per cent;

In respect of all such further monies which shall exceed 100,000*l.*, but shall not exceed 200,000*l.*, 4*l.* per cent.;

And in respect of all further monies so divided which shall exceed 200,000*l.*, 3*l.* per cent.

7. That the provision herein contained with respect to the

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remuneration of an official manager, and the provisions in the said act contained with respect to passing the accounts of the official manager, and the inspection of his books by the contributories, and the evidence of his books, accounts, and documents, and all other the powers and duties of the official manager, shall apply in all respects to the remuneration of any interim or provisional manager to be appointed as in the said act mentioned, and to the passing of his accounts, and the inspection of his books, and the evidence of his books, accounts, and documents, and the powers and duties of the interim or provisional manager.

8. That for better getting in the estate of any company in respect of which an order absolute has been or shall be made under the said act, and discharging the debts thereof, and winding-up the affairs thereof, it shall be lawful for the official manager of such company, under the direction of the Master for the time being acting in the winding-up thereof, and on behalf of the company, to draw, accept, make, and indorse any bill of exchange or promissory note, and also to raise upon the security of the assets of the company from time to time such sum or sums of money and in such manner as the Master shall from time to time direct; and the drawing, accepting, making, or indorsing of every such bill of exchange or promissory note as aforesaid on behalf of the company shall have the same effect with respect to the liability of such company as if such bill or note had been drawn, accepted, made, or indorsed by such company in the course of carrying on the business thereof.

9. That the word "contributory" as used in the said act or in this act with respect to the persons who are to attend the proceedings before the Master, and to the representation of classes of contributories, and to the representation of contributories being minors or lunatics, and to the appointment by the Master of next friends, guardians, or representatives, and with respect to determining and resolving questions of law or of fact, or matters in contest arising in or about the winding-up of the affairs of any company, shall be taken to include alleged contributories.

10. That if more than one official manager of any company shall have been or shall be appointed under the said act, any one of the official managers so to be appointed shall have power to bind and conclude his co-managers to the same extent and in the same manner in all respects as any one assignee of the estate and effects of a bankrupt has power to bind and conclude his co-assignees.

11. That it shall be lawful for the Master to make or allow any arrangement which he may think fit from time to time with respect to the remuneration of any attorney or solicitor to be appointed by the official manager, and that such remuneration may be either by way of per-centage or otherwise; provided that such remuneration, if it be by per-centage, shall not, unless the Master shall otherwise specially direct, exceed (in addition to actual payments) the rates or sums hereby authorised to be allowed to the official manager for his salary or remuneration.

12. That the costs of all proceedings which shall take place in and about the winding-up, as to which the Court shall have made no order, shall be in the discretion of the Master; and that it shall be lawful for the Master to award a single sum or fee for any costs awarded by him, or otherwise to settle the principle and the scale of fees upon or according to which such costs shall be ascertained and settled.

13. That all acts and things by the said act or by this act required or authorised to be done by the official manager, with the leave or approbation or under the direction of the Master, shall, so far as respects the safety and protection of debtors and other persons not being contributories of the company, and not affected with notice of any fraud, be valid and conclusive, notwithstanding such leave or approbation have not been obtained or such direction have not been given.

14. That if any contributory or alleged contributory be a bankrupt or insolvent, he shall be entitled to attend by his assignees, and in all proceedings against his estate under the said act shall be sufficiently represented by such assignees.

15. That, notwithstanding anything in the said act contained, it shall be lawful for the Master to adjourn any proceedings before him under the said act without fixing any time or place, and to take up again and continue any proceedings under the said act from time to time, although the same have not been formally adjourned.

16. That it shall be lawful for the Master, in such cases as he thinks fit, to dispense with any advertisements required by the said act to be made of any call or of any other proceedings by or before the Master; provided that the said Master shall not dispense with the advertisement of an intended call or other proceeding until he is satisfied that notice has been given to each of the several contributories intended to be included in such call or affected by such proceeding, that it is intended to include him therein or affect him thereby; and that, notwithstanding anything in the said act contained, no proceedings in any action by a creditor shall be stayed by reason that an advertisement has not been published under the said act requiring creditors to come in and prove their debts and demands before the Master.

17. That it shall be lawful for the Master from time to time to reconsider and review any order or proceeding which may have been made by or may have taken place before him under the said act, upon such terms and in such manner as he thinks fit.

18. That, as between the contributories or alleged contributories, the lists of contributories, and all other lists required by the said act, as the same shall have been prepared by the official manager, and before the same shall have been settled by the Master, shall, except so far as the Master shall otherwise direct, be primâ facie evidence of the truth of all matters therein contained and purporting to be therein recorded.

19. That it shall be lawful for the Master, under the powers of the said act, to require any evidence to be given or discovery to be made before him respecting the estate, dealings, or affairs of any contributory or deceased contributory of the company, or respecting any other matter in which the company may be interested, and which might have been compelled or obtained in any suit in equity at the instance or on the behalf of the company; and that any person who shall be summoned before the Master for the purpose of giving any such evidence shall be deemed to be within the provisions and penalties of the said act with respect to witnesses.

20. That the district commissioners of the Court of Bankruptcy, and the judges of the county courts in England who sit at places more than twenty miles from the General Post-office, and the commissioners of bankrupt and the assistant barristers and recorders in Ireland, and in all cases relating to mines within the jurisdiction of the Stannaries Court in Cornwall the vice-warden or the registrar of the said court, shall be and they are hereby appointed commissioners for the purpose of taking and receiving evidence under the said act and this act; and it shall be lawful for the Master, by any order under his hand, to refer the whole or any part of the examination of any witnesses under the said acts to any such commissioner, although such commissioner be out of the jurisdiction of the Court by which the order absolute was made; and every such commissioner shall, in addition to any power of summoning and examining witnesses, and requiring the production or delivery of documents, and certifying or punishing defaults by witnesses, which he might lawfully exercise as a district commissioner of the Court of Bankruptcy, judge of a county court, commissioner of bankrupt, assistant barrister, or recorder, or as the vice-warden or the registrar of the Stannaries Court, have and exercise, in the matter so referred to him, all the same powers of summoning and examining witnesses, and requiring the production or delivery of documents, and certifying or punishing defaults by witnesses, and allowing costs and charges to witnesses, as are given by the said act or this act to any Master charged with the winding-up of any company under the same; and the examination so to be taken shall be returned to the Master as he shall direct.

21. That it shall be lawful for the Master, by any order under his hand, to direct the examination in Scotland of any person within Scotland, whether a contributory of the company or not, in regard to the estate, dealings, or affairs of such company, or in regard to the estate, dealings, or affairs of any person being a contributory of the company, so far as the company may be interested therein in respect of his being such contributory; and such order shall be directed to the sheriff of the county in which the person to be examined shall reside or

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be for the time; and the sheriff shall summon such person to appear before him at such time and place as shall be specified in the summons, for examination upon oath as a witness or as a haver, and to produce the books, papers, deeds, or documents called for which may be in his possession or power, and the sheriff may take such examination either orally or upon written interrogatories, and shall report the same in writing in the usual form to the Master, and shall transmit with such report the books, papers, deeds, or documents produced, if the originals thereof shall be required and specified by the order, or otherwise such copies thereof or extracts therefrom authenticated by the sheriff as shall be necessary; and in case any person so summoned shall fail to appear at the time and place specified, or appearing shall refuse to be examined or to make the production required, the sheriff shall proceed against such person as a witness or haver duly cited and failing to appear, or refusing to give evidence or make production, may be proceeded against by the law of Scotland; and the sheriff shall be entitled to such and the like fees, and the witness shall be entitled to such and the like allowances, as sheriffs when acting as commissioners under appointment from the Court of Session, and as witnesses and havers, are entitled to, in the like cases, according to the law and practice of Scotland: provided always, that if any objection shall be stated to the sheriff by the witness, either on the ground of his incompetency as a witness, or as to the production required to be made, or on any other ground whatever, it shall be competent for the sheriff, if he shall think fit, to report such objections to the Master, and to suspend the examination of such witness until such objection shall be disposed of by the Master.

22. That any person summoned as a witness before any commissioner under this act shall be deemed to be in all respects within the provisions and penalties of the said recited act with respect to witnesses; and that all costs and expenses of and incident to any commission, or any examination before any commissioner, under this act, shall be in the discretion of the Master, and shall be in all respects within the provisions of the said act as to the costs of winding-up the affairs of any company.

23. That any summons of a witness to be made by the Master or any commissioner under this or the said recited act in England shall be valid and effectual, and shall be enforceable in Ireland, and that any such summons so made in Ireland shall be valid and effectual in England.

24. That any affidavit, affirmation, or declaration which shall require to be sworn or made under the provisions or for the purposes of this or the said recited act shall and may be lawfully sworn in Great Britain or Ireland, or in any colony, island, plantation, or place under the dominion of her Majesty in foreign parts, before any court, judge, or person lawfully authorised to take and receive affidavits, affirmations, or declarations in such country, colony, island, plantation, or place respectively, or before any of her Majesty's consuls or vice-consuls in any foreign parts out of her dominions, and that all courts, judges, justices, masters, commissioners judicially acting, and other officers in any parts of her Majesty's dominions, shall take judicial notice of the seal or signature (as the case may be) of any such court, judge, person, consul or vice-consul, attached, appended, or subscribed to any such affidavit or declaration, or to any other document to be used for the purposes of this act.

25. That, notwithstanding anything in the said act contained, no deed of grant by the official manager shall require to be approved or certified by the Master, unless the parties differ about the same.

26. That, notwithstanding anything in the said act contained, it shall be sufficient, in any notice to be given to any person included in or proposed to be excluded from the list of contributories, or in any variation therein or addition thereto, to state for what interest such person is included or excluded, specifying the amount of the interest for which any such person is included therein, without specifying the number of shares or the amount of such shares.

27. That the power by the said act given to contributories to summon any other person to shew cause why his name should not be included in or specially excluded from the list, and the power of the Master to declare such person included in or excluded from the list, shall and may be exercised from time to time so long as the list has not been wholly settled, although the person so to be summoned have been already included or specially excluded (as the case may be) as respects any other share or interest in the company than the share or interest in respect of which he is proposed to be included in or specially excluded from the list.

28. That so much of the said recited act as is contained in the section thereof numbered "84" in the copy of the said act printed by the Queen's printer shall be and the same is hereby repealed; and in lieu thereof, that, when the Master shall think proper to raise any money by means of a call, he shall make such call from time to time upon the contributories of the company, or any of them, appearing for the time being on the list of contributories, although it may then be under consideration, or uncertain, whether other persons ought or ought not to be included in the list; and in making any such call it shall be lawful for the Master to fix such an amount per share for the same as shall in his judgment be likely to supply and bring in the whole sum for the time being intended to be raised, after taking into consideration the probability that some of the contributories upon whom the said call shall be made should partly or wholly fail to pay their respective proportions of the same.

29. That the power by the said act given to the official manager to give time, or compound, or take security for, or to abandon any balance or claim as against any of the contributories of the company, shall be deemed to extend to any claim of doubtful or unascertained amount, including the liability of any contributory to any future calls or contributions.

30. That where any contributory of the company is a bankrupt or insolvent, it shall be lawful for the official manager to prove in the matter of such bankruptcy or insolvency for any balance ordered by the Master to be proved against the estate of such contributory, and to take and receive dividends in respect of such balance in the matter of the bankruptcy or insolvency as a separate debt due from such bankrupt or insolvent, and rateably with the other separate creditors: provided always, that if any creditors of the company, not being such petitioning creditor under the fiat as after mentioned, shall have proved or shall prove against the estate of such bankrupt or insolvent contributory in respect of any debt due from the company, then the dividends received by the official manager from the estate of such bankrupt or insolvent contributory shall be paid and distributed by the official manager, under the direction of the Master, in the first instance, rateably amongst the creditors of the company so proving against the estate of such bankrupt or insolvent contributory as aforesaid, until the debts due to such creditors respectively be fully paid, and, subject thereto, such dividends shall be applied by the official manager towards the general purposes of the winding-up of the affairs of the company: provided also, that in case any such fiat shall have been issued on the petition of a joint creditor of the said company in respect of his joint debt, and he shall have proved such joint debt for the purpose of receiving dividends under such fiat, then any dividends paid to such petitioning creditor under such proof shall be set against the dividends payable to such official manager in respect of the proof so made by him as aforesaid, so far as the same will extend.

31. That it shall be lawful for the Masters, in directing any issue or question of fact to be decided by a jury under the powers of the said act, to determine whether such issue or question shall be decided by a common or by a special jury; and that it shall also be lawful for the Master to direct a new trial of any such issue or question; and also that it shall be lawful for the Master to require any contributories or alleged contributories to interplead before him in any question of liability or other matter in difference between such contributories or alleged contributories in which the company is interested, or which is necessary to be determined in order to the complete winding-up thereof, and thereupon to decide the same.

32. That it shall be lawful for the Master in any proceeding before him to make any alteration in the lists of contributories or in the accounts of the company, or to make any other order which may seem to him just as respects parties present before him, although the same may vary from the notice, if any, which may have been given with respect thereto.

33. That no notice of motion for a rehearing before the Lord Chancellor of Great Britain or Ireland respectively of any

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order of the Master of the Rolls in England or Ireland, or of any of the Vice-Chancellors in England, under the said act or this act, shall be given after the expiration of three weeks after the order complained of shall have been made.

34. That where any appeal shall be brought or rehearing moved for under the said act or this act it shall not be incumbent on the Court before which such appeal is brought or rehearing moved for to reverse the order or other proceeding complained of for want of form only, nor unless such Court be of opinion that the substantial merits of the case require such reversal.

35. That in lieu of all fees to be received or charged in aid of the Suitors' Fee Fund in respect of any proceedings, orders, or other matters under the said act or this act, the interim or provisional manager or the official manager of any company the affairs of which shall be wound up under the said act shall pay into the Bank of England, with the privity of the Accountant-General of her Majesty's High Court of Chancery in England or Ireland respectively, to be there placed to the credit of the Suitors' Fee Fund account, such amount by way of per-centage as shall be certified by the Master upon the monies received by the official manager, and paid or divided amongst the creditors or the contributories of such company in winding-up the affairs thereof, not exceeding the sums following; that is to say,

Upon the first monies so paid and divided, not exceeding 50,000*l.*, the sum of 10*s.* per 100*l.*

Upon all further monies above 50,000*l.*, and not exceeding 100,000*l.*, so paid and divided, the sum of 5*s.* per 100*l.*

Upon all further monies above 100,000*l.*, and not exceeding 200,000*l.*, so paid and divided, the sum of 3*s.* 4*d.* per 100*l.*

Upon all further monies exceeding 200,000*l.*, so paid and divided, the sum of 1*s.* 3*d.* per 100*l.*

Provided always, that it shall be lawful for the Lord Chancellor of Great Britain or the Lord Chancellor of Ireland, by such rules or orders as hereinafter mentioned, to alter and vary from time to time the rates herein specified.

36. That no service under the said act shall be deemed invalid by reason of the Christian name or any of the Christian names of the person upon whom service is sought to be made having been omitted, or designated by initial letters, in the list of contributories, or in the summons, notice, order, or other document wherein the name of such contributory is contained, if the Court or Master be satisfied that such service has been in other respects sufficient; and that any summons, notice, order, or other document sent by post shall be pre-paid, except so far as the rules of the Post-office shall not allow of pre-payment; and that in proving any such service by post it shall not be necessary to shew that the document was not returned.

37. That the powers by the said act given to the Lord Chancellor of Great Britain and the Lord Chancellor of Ireland respectively, with such advice and consent as therein mentioned, of making, varying, and discharging rules and orders for the objects therein mentioned, shall extend to authorise and empower the said Lord Chancellors respectively, with the like advice and consent as in the said act mentioned, to make all such rules and orders as from time to time shall seem necessary or expedient for better carrying into effect the purposes of the said act or of this act, by her Majesty's High Courts of Chancery in England and Ireland respectively, and from time to time to alter, vary, and discharge any such rules or orders.

38. That this act shall be taken and construed (so far as practicable) as a part of the said Joint-stock Companies Winding-up Act, 1848.

39. That in citing this act in other acts of Parliament, and in legal instruments and in legal proceedings, it shall be sufficient to use the expression "The Joint-stock Companies Winding-up Amendment Act, 1849."

40. That this act shall not apply to Scotland, except so far as by this act or by the said Joint-stock Companies Winding-up Act, 1848, is specially provided.

41. That this act may be amended or repealed by any act to be passed in this session of Parliament.

SCHEDULES TO WHICH THE FOREGOING ACT REFERS.

Schedule (A.)

Advertisement in Newspapers of Petition for Dissolution and winding-up, or winding-up.

In the Matter of the Joint-stock Companies Winding-up Acts, 1848 and 1849, and of the —— Company.

Notice is hereby given, that a petition for the dissolution and winding-up [*or* "for the winding-up," *as the case may be*] of the above-named company was, on —— the —— day of ——, 184—, presented to the Lord Chancellor [*or* "Master of the Rolls," *as the case may be, specifying whether in England or Ireland*], by [*names of the petitioner or petitioners*], and that it is expected such petition will be heard before the [Master of the Rolls, *or* "the Vice-Chancellor," *as the case may be, specifying the name or title of the Vice-Chancellor*], on —— the —— day of ——, 184—, and any person desirous to oppose the making of an order absolute for the dissolution and winding-up [*or* "winding-up," *as the case may be*] of the said company under the said acts should appear at the time of hearing, by himself or his counsel, for that purpose, and a copy of the petition will be furnished to any contributory of the said company requiring the same by the undersigned, on payment of the regulated charge for the same.

A. B., or C. and *D.*, solicitors for the petitioners, [*adding their place of business*].

Schedule (B.)

Affidavit verifying Petition for Dissolution and winding-up, or winding-up.

In the Matter of the Joint-stock Companies Winding-up Acts, 1848 and 1849, and of the —— Company.

I, *A. B.*, the petitioner in the above-written [*or* "annexed," *as the case may be*] petition, make oath and say, that so much of the above-written [*or* "annexed," *as the case may be*] petition as relates to my own acts and deeds is true, and so much thereof as relates to the acts and deeds of any other person I believe to be true.

Sworn &c.

London Gazettes.

TUESDAY, August 28.

BANKRUPTS.

JAMES DEEVES IRELAND, Lewisham, Kent, licensed victualler, dealer and chapman, Sept. 5 at 1, and Oct. 11 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Symes & Co., Fenchurch-street.—Fiat dated Aug. 21.

WILLIAM MAYS HARTRIDGE, Woodbridge, Suffolk, grocer, draper, dealer and chapman, Sept. 7 at half-past 12, and Oct. 12 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Moore, Woodbridge; Needham, 1, New-inn, Strand.—Fiat dated Aug. 9.

SARAH MATTERS, formerly of Crown-street, Soho, Middlesex, straw bonnet manufacturer and stay maker, late of Berwick-street, Oxford-street, Middlesex, boarding and lodging house keeper, and now of Tench-street, Wapping, Middlesex, widow, dealer and chapman, Sept. 3 and Oct. 11 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. De Rhe Philipe, 10, Gray's-inn-square.—Fiat dated Aug. 22.

THOMAS LEWIS, late of Hampton-lodge, Hampton Bishop, Herefordshire, but now of Hereford, timber merchant and cattle dealer, Sept. 11 and 29 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Warburton, Hereford; Suckling, Birmingham.—Fiat dated Aug. 18.

ANDREW M'CONCHIE, Nottingham, draper, Sept. 21 at 10, and Oct. 10 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Brown, Nottingham.—Fiat dated Aug. 18.

JOHN LLOYD and GEORGE LLOYD, Brinnington, Cheshire, builders, Sept. 12 and Oct. 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Coppock & Oldham, Stockport; Coppock, 3, Cleveland-row, St. James's, London.—Fiat dated Aug. 22.

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THOMAS DAVIS, JAMES GLOSSOP, and JAMES BRANKLEY, Morris Mill, Pilsworth, near Bury, Lancashire, dyers, fustian shearers, dealers and chapmen, Sept. 13 and Oct. 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. T. A. & J. Grundy, Bury, Lancashire; Clarke & Co., 20, Lincoln's-inn-fields, London.—Fiat dated Aug. 17.

JULIET ANNIE WINDER, Pendleton, Lancashire, draper and shopkeeper, dealer and chapwoman, Sept. 13 and Oct. 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Cooper, Manchester; Gregory & Co., 1, Bedford-row, London.—Fiat dated Aug. 22.

Meetings.

Samuel West Rickman, Hailsham, Sussex, innkeeper, Sept. 7 at half-past 1, Court of Bankruptcy, London, last ex.—*James Triggs*, Southampton, upholsterer, Sept. 14 at half-past 11, Court of Bankruptcy, London, last ex.—*Henry Ashbee*, Kingscote, Gloucestershire, innkeeper, Sept. 14 at 11, District Court of Bankruptcy, Bristol, fin. ex.—*Henry Walker*, Coleman-street, London, oilman, Sept. 18 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Charles Verbeke*, Adam's-court, Old Broad-street, London, Sept. 19 at 12, Court of Bankruptcy, London, aud. ac.; Sept. 21 at 11, div.—*Samuel Harrison*, Poole, provision merchant, Sept. 19 at 12, Court of Bankruptcy, London, fin. div.—*John Cramond*, Lime-street, London, shipbroker, Sept. 19 at 11, Court of Bankruptcy, London, div.—*William North*, York, jeweller, Sept. 18 at 11, District Court of Bankruptcy, Leeds, div.—*Daniel Bradshaw*, Netherton, Almondbury, Yorkshire, merchant, Sept. 25 at 11, District Court of Bankruptcy, Leeds, div.—*Joseph Armitage*, *James Armitage*, *William Henry Armitage*, and *Charles Armitage*, Marsden, Almondbury, Yorkshire, woollen manufacturers, Sept. 25 at 12, District Court of Bankruptcy, Leeds, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Charles Lamdin, Newbury, Berkshire, upholsterer, Sept. 19 at 11, Court of Bankruptcy, London.—*Chas. H. Warren*, Fawley, Southampton, surgeon, Sept. 20 at 11, Court of Bankruptcy, London.—*James Peachey*, Colchester, Essex, coachmaker, Sept. 20 at half-past 11, Court of Bankruptcy, London.—*Isaac Parlour*, De Beauvoir-wharf, Canal-road, Hoxton, Middlesex, stone merchant, Sept. 17 at 1, Court of Bankruptcy, London.—*John King* and *Joseph Francis King*, Well's-row, Islington, Middlesex, builders, Sept. 19 at 2, Court of Bankruptcy, London.—*J. B. Hamilton*, Grange-walk, Bermondsey-square, Bermondsey, Surrey, wholesale confectioner, Sept. 19 at 12, Court of Bankruptcy, London.—*Joseph Gadd*, Harefield, Middlesex, coal merchant, Sept. 19 at 1, Court of Bankruptcy, London.—*Samuel Isaacs*, Bristol, jeweller, Sept. 20 at 11, District Court of Bankruptcy, Bristol.—*Robert Williams*, Liverpool, tailor, Sept. 21 at 11, District Court of Bankruptcy, Liverpool.—*William Hutchinson*, Sutton-upon-Trent, Nottinghamshire, seed crusher, Sept. 21 at 10, District Court of Bankruptcy, Nottingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Sept. 18.

George Wheelhouse, York, banker.—*W. Broady*, Halkin-street West, Belgrave-square, Middlesex, commission agent.—*Thos. Moore*, Derby, coachmaker.—*J. Harrison*, Loughborough, Leicestershire, clothier.—*A. B. East*, Birmingham, scrivener.—*Thomas Potts*, Newcastle-upon-Tyne, draper.—*Henry Grant*, Cardiff, Glamorganshire, watchmaker.

Scotch Sequestrations.

J. & W. Wilson, Edinburgh, cabinet makers.—*John Cockfield*, Glasgow, shoemaker.—*Megget & Symington*, Edinburgh, leather merchants.—*A. Wyllie*, South Craigend, Baldernock, Stirlingshire, lime merchant.—*James Thomson*, deceased, Dumfries, joiner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Wills, Lewannick, Cornwall, in no business, Sept. 19 at 11, County Court of Cornwall, at Launceston.—*James Gasking*, Devonport, Devonshire, cook, Sept. 13 at 11, County Court of Devonshire, at Plymouth.—*Rich. Hughes*, Aberffraw, Anglesey, draper, Sept. 14 at 10, County Court of Anglesey, at Llangefni.—*Wm. Peacock*, Sheffield, Yorkshire, beerhouse keeper, Sept. 5 at 10, County Court of Yorkshire at Sheffield.—*Richard Morris*, Cardiff, Glamorganshire, tea dealer, Sept. 8 at 10, County Court of Glamorganshire, at Cardiff.—*A. T. Loder*, Bishopwearmouth, Durham, teacher of music, Sept. 25 at 10, County Court of Durham, at Sunderland.—*Saml. Walker*, Calverley, Yorkshire, butcher, Sept. 22 at 11, County Court of Yorkshire, at Bradford.—*Wm. Spink*, Toxteth-park, Liverpool, butcher, Sept. 3 at 10, Liverpool District County Court, at Liverpool.—*Thos. Jones*, Liverpool, ginger beer manufacturer, Sept. 3 at 10, Liverpool District County Court, at Liverpool.—*Thomas Barton*, Lamberhurst, Sussex, baker, Sept. 13 at 10, County Court of Kent, at Tonbridge Wells.

Saturday, Aug. 25.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Scott, Marton, near Gainsborough, Lincolnshire, licensed victualler, No. 71,190 C.; Wm. A. Thompson, assignee.—*Wm. Clarke*, Greenwich, Kent, attorney at law, No. 71,232 C.; A. W. Irwin and J. R. Taylor, assignees.—*John Dawson*, Wreningham, Norfolk, shoemaker, No. 70,95[illegible] C.; Wm. Tompson, assignee.—*Jose Cayetano De Bernales*, Finsbury-place, Middlesex, merchant, No. 13,641 T.; S. Sturgis, gentleman, new assignee in place of C. L. Hogart deceased.

Saturday, Aug. 25.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Tavener, Upper Berkeley-street West, Hyde-park, Middlesex, fruiterer and greengrocer: in the Debtors Prison for London and Middlesex.—*John Isaac Adams*, Henry-place, Coburg-fields, Old Kent-road, Surrey, zinc worker: in the Gaol of Surrey.—*Thomas Percival*, Belvidere-road, Surrey, chemist: in the Queen's Prison.—*Charles John Debville*, Lawn-place, South Lambeth, Surrey, money agent: in the Gaol of Surrey.—*Samuel Godfrey*, Curtain-road, Shoreditch, Middlesex, bonnet-shape maker: in the Debtors Prison for London and Middlesex.—*Henry Prosser Tessier*, Little New-st., Fetter-lane, London, grocer: in the Debtors Prison for London and Middlesex.—*Clarendon Hyde*, Frederick-place, Rotherfield-street, Lower-road, Islington, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*Joseph Feather*, Mayfield-street, Dalston, Middlesex, undertaker: in the Debtors Prison for London and Middlesex.—*George Brixey*, Moore-st., Cadogan-terrace, Sloane-street, Chelsea, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Samuel Snooke*, North-place, Globe-street, Bethnal-green, Middlesex, stone mason: in the Debtors Prison for London and Middlesex.—*Wm. Matheus*, Dover-road, Surrey, general agent: in the Debtors Prison for London and Middlesex.—*Matthew Jordison*, Long-lane, Bermondsey, Surrey, harness maker: in the Gaol of Horsemonger-lane.—*Robt. Chas. Hussey*, Turner's-court, St. Martin's-lane, Middlesex, wine cooper: in the Debtors Prison for London and Middlesex.—*Wolf Abraham*, Sunderland, Durham, glazier: in the Gaol of Durham.—*Rees Gabe*, Pontmorlais, Merthyr Tydvil, Glamorganshire, cordwainer: in the Gaol of Cardiff.—*George Perrins*, The Shambles, St. Swithin's, Worcester, butcher: in the Gaol of Worcester.—*James Wharton*, Hove, Sussex, schoolmaster: in the Gaol of Lewes.—*Thomas Ixton*, Cornforth, Durham, joiner: in the Gaol of Durham.—*William Barclay*, Sunderland near the Sea, Durham, publican: in the Gaol of Durham.—*W. Sugget*, Stockton-upon-Tees, Durham, publican: in the Gaol of Durham.—*William Moyle Kite*, Bath, Somersetshire, tailor: in the Gaol of Wilton.—*Luke Milnes*, Dungeon Bottom, Lockwood, near Huddersfield, Yorkshire, shopkeeper: in the Gaol of York.—*J. Burrell*, Birstal, near Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Thomas Hodgson*, Leeds, Yorkshire, paper stainer: in the Gaol of York.—*William Swales*, Leylands, Leeds, Yorkshire, innkeeper: in the Gaol of York.—*George Bramham*, Nostrop, near Leeds, Yorkshire, flour dealer: in

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the Gaol of York.—*James Jennings*, Smack Farm, near Crewle, Lincolnshire, farmer's labourer: in the Gaol of York.—*Benj. Ibbetson*, Guiseley, near Leeds, Yorkshire, grocer: in the Gaol of York.—*John Bell*, Kirkby Moorside, Yorkshire, bootmaker: in the Gaol of York.—*John Collins*, Sunderland, Durham, licensed hawker: in the Gaol of Durham.—*James Turner*, Coseley, Staffordshire, retailer of ale: in the Gaol of Coventry.—*John Pilsbury*, Birmingham, builder: in the Gaol of Coventry.—*Henry Hart*, Birmingham, gun maker: in the Gaol of Coventry.—*Edward Bates*, Hillmorton, Warwickshire, shopkeeper: in the Gaol of Coventry.—*W. Coulthard*, Blackpool, Lancashire, fishmonger: in the Gaol of Lancaster.—*Wm. Welch*, Birmingham, potato dealer: in the Gaol of Coventry.—*Robert Smurthwaite*, Bishopwearmouth, Durham, out of business: in the Gaol of Durham.—*Geo. Hindle*, Accrington, Lancashire, overlooker in a cotton factory: in the Gaol of Lancaster.—*Thomas Bere*, St. David's, Exeter, gardener: in the Gaol of St. Thomas the Apostle.—*J. Shilton*, Digbeth, Birmingham, grocer: in the Gaol of Coventry.—*George Hallett*, West Chickerell, Dorsetshire, yeoman: in the Gaol of Dorchester.—*John Crossley*, Smallbridge, near Rochdale, Lancashire, warehouseman: in the Gaol of Lancaster.—*John Roberts*, King's Lynn, Norfolk, saddler: in the Gaol of Norwich.—*James Stockbridge*, Fairlight, near Hastings, Sussex, provision dealer: in the Gaol of Dover.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Montgomeryshire, at WELCHPOOL, *Sept.* 21 *at* 10.

Isaac Jones, Dwyrhiew, Manafon, flannel manufacturer.

At the County Court of Pembrokeshire, at HAVERFORDWEST, *Sept.* 21 *at* 9.

Joseph Watkins, Cwmiog Farm, Nevern, farmer.

FRIDAY, AUGUST 31.

BANKRUPTS.

JANE LEWIS, Brighton, Sussex, grocer, dealer and chapwoman, Sept. 7 at 12, and Oct. 12 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Bennett & Houseman, Brighton; Rickards & Walker, 29, Lincoln's-inn-fields.—Fiat dated Aug. 21.

JOHN WEBB, (sometimes known as John Webbe), Ramsgate, Kent, dealer in music and musical instruments, dealer and chapman, Sept. 7 and Oct. 12 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Buchanan, Basinghall-street, London.—Fiat dated Aug. 22.

THOMAS REGINALD KEMP, Abchurch-lane, Lombard-street, London, bill broker, dealer and chapman, Sept. 14 at 12, and Oct. 16 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Depree, 9, Lawrence-lane, Cheapside.—Fiat dated Aug. 2.

JOHN WELLS, Chawson, Salwarpe, Worcestershire, cattle salesman, dealer and chapman, Sept. 11 and Oct. 11 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Fiat dated Aug. 17.

GEORGE MONRO, Birmingham, hackneyman, coach proprietor, dealer and chapman, Sept. 15 and Oct. 9 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Fiat dated Aug. 25.

CHARLES PENN, Liverpool, victualler and tavern keeper, dealer and chapman, Sept. 12 and Oct. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Francis & Almond, Liverpool; Bridger & Collins, King William-street, London.—Fiat dated Aug. 23.

THOMAS MARTIN, Liverpool, merchant, dealer and chapman, Sept. 11 and Oct. 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Dodge, Liverpool; Bridger & Collins, King William-street, London.—Fiat dated Aug. 25.

THOMAS DOWELL, Monmouth, innkeeper, dealer and chapman, Sept. 13 and Oct. 11 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Pugh, Hay, Breconshire; Brittan & Sons, Bristol.—Fiat dated Aug. 25.

ADAM SHIELL, Newcastle-upon-Tyne, miller, baker, banker, dealer and chapman, Sept. 14 at half-past 10, and Oct. 23 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Jobling & Fleming, Newcastle-upon-Tyne; Bell & Co., 9, Bow-churchyard, London.—Fiat dated Aug. 21.

WILLIAM ACKROYD, Bradford, Yorkshire, retailer of beer, dealer and chapman, Sept. 13 and Oct. 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Terry & Watson, Bradford; Bond & Barwick, Leeds; Williamson & Hill, Great James-street, London.—Fiat dated Aug. 23.

THOMAS HARRIS, Liverpool, auctioneer, dealer and chapman, Sept. 12 and Oct. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Francis & Almond, Liverpool; Bridger & Collins, King William-street, London.—Fiat dated Aug. 23.

DANIEL FURNISS, Sheffield, Yorkshire. beerhouse keeper, dealer and chapman, Sep. 15 and Oct. 13 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Broadbent, Sheffield; Tattershall, Great James-st., London.—Fiat dated Aug. 18.

MEETINGS.

Charles Andrews, Brighton, Sussex, greengrocer, Sept. 12 at 1, Court of Bankruptcy, London, pr. d.—*Henry Leatham*, Liverpool, builder, Sept. 25 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*John Jacob Flitch*, Newcastle-upon-Tyne, leather dresser, Sept. 25 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, pr. d.—*Benj. Lord*, Blackburn, Lancashire, coal dealer, Sept. 11 at 12, District Court of Bankruptcy, Manchester, last ex.—*William Emmerson*, North Shields, Northumberland, banker, Sept. 25 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. — *John Jones*, Stockport, Cheshire, ironmonger, Sept. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Sept. 27 at 12, div.—*Lucy Perrers*, widow, Holsworthy, Devonshire, innkeeper, Sept. 25 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John Whiteway*, Chudleigh, Devonshire, miller, Sept. 26 at 11, District Court of Bankruptcy, Exeter, aud. ac. — *Henry Jefferd*, Lyme Regis, Dorsetshire, builder, Sept. 25 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Sept. 27 at 1, div.—*Jos. Lindon*, Plymouth, Devonshire, merchant, Sept. 25 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Sept. 27 at 1, div.—*Francis Halley*, Shiffnal, Shropshire, builder, Oct. 2 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Oct. 6 at 10, div.—*Edward Lee*, Shrewsbury, Shropshire, ironmonger, Oct. 2 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*Samuel Roden*, Wellington, Shropshire, retail brewer, Oct. 2 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Benjamin Thompson*, Derby, woollen draper, Sept. 21 at 10, District Court of Bankruptcy, Nottingham, aud. ac. and div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Pinkerton, High-st., Southwark, Surrey, glass cutter, Sept. 21 at 11, Court of Bankruptcy, London.—*Robt. Lodge*, Starbotton, Kettlewell, Yorkshire, miner, Sept. 24 at 12, District Court of Bankruptcy, Leeds. — *Joseph Armitage*, *James Armitage*, *William Henry Armitage*, and *Charles Armitage*, Marsden, Almondbury, Yorkshire, woollen-cloth manufacturers, Sept. 24 at 1, District Court of Bankruptcy, Leeds.—*George Ellins*, Droitwich, Worcestershire, salt manufacturer, Sept. 27 at 10, District Court of Bankruptcy, Birmingham.—*Wm. Birks*, Nottingham, lace manufacturer, Oct. 19 at 10, District Court of Bankruptcy, Nottingham.

***To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Sept.* 21.**

John Wilkinson, Liverpool, brassfounder.—*Wm. Waterman*, Brenchley, Kent, farmer.—*Charles Carter*, Rochford, Essex, ironmonger.—*John Webb Fielder*, Thavies-inn, Holborn-hill, London, lace merchant.—*Isaac Terry*, Haymaaket, Middlesex, clock maker.—*Wm. Dalgleish*, Liverpool, spirit merchant.—*George Thorney*, Wolverhampton, Staffordshire, carrier.—*Phidias George Napoleon Clarke*, Barton-upon-Irwell, Lancashire, sculptor.

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Henry Horatio Greame, Lower Fountain-place, City-road, Middlesex, merchant.

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Michael Foletti, Somerford-street, Mile-end, Middlesex, looking-glass manufacturer.—*W. Reynolds*, Clarendon-road, Notting-hill, Middlesex, builder.

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Alexander Lucas, Glasgow, goldsmith.—*John Rae*, Edinburgh, dealer in shares.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Mawson, Worsborough, Darfield, Yorkshire, farm labourer, Sept. 21 at 11, County Court of Yorkshire, at Barnsley.—*James Carlton*, Swaffham, Norfolk, tailor, Sept. 10 at 11, County Court of Norfolk, at Swaffham.—*William Caddick*, Sept. 13 at 10, County Court of Shropshire, at Bridgnorth.—*Sharrock Semmens Dupen*, Hayle, Phillack, Cornwall, steward of steam-packets, Sept. 13 at 10, County Court of Cornwall, at Redruth.—*William Clowes* the elder, Swansea, Glamorganshire, victualler, Sept. 12 at 10, County Court of Glamorganshire, at Swansea.—*Edward Stevens*, Swansea, Glamorganshire, plumber, Sept. 12 at 10, County Court of Glamorganshire, at Swansea.—*George Austin*, Redruth, Cornwall, baker, Sept. 13 at 10, County Court of Cornwall, at Redruth.—*Hen. Sephton*, Birmingham, glass manufacturer, Sept. 17 at 2, County Court of Warwickshire, at Birmingham.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Sept.* 15 *at* 10.

Thomas Bere, St. David's, gardener.

At the County Court of Herefordshire, at HEREFORD, *Sept.* 20 *at* 10.

James Lewis, Peterchurch, farmer.

At the County Court of Sussex, at LEWES, *Sept.* 17.

Adolphus Frederick Lloyd, Brighton, out of business.—*James Thomas*, Mountfield, near Hurst-green, publican.—*James Wharton*, Hove, near Brighton, author.—*Wm. John Faithfull*, Brighton, out of business.—*Thomas Christmas*, Tivoli, near Hastings, out of business.

At the County Court of Durham, at DURHAM, *Sept.* 14.

William Barclay, Sunderland near the Sea, publican.—*Thomas Iseton*, Cornforth, joiner.—*William Suggett*, Stockton-on-Tees, publican.—*Robert Stephenson*, Sunderland near the Sea, joiner.—*Thomas Nelson*, Stockton-on-Tees, tailor.—*Simon Landry*, Sunderland, master mariner.—*Wm. Marshall*, Coundon, near Bishop Auckland, shoemaker.—*Ralph Humble*, Etherley-hill, near Bishop Auckland, pitman.—*John Collins*, Sunderland, licensed hawker.—*Wolff Abraham*, Sunderland, glazier.—*Cuthbert Todd*, Barnard Castle, out of business.—*Robert Swarthwaite*, Bishopwearmouth, out of business.

At the County Court of Lancashire, at LANCASTER, *Sept.* 14, *at* 11.

Joseph Taylor Hobson, Liverpool, general agent.—*William Knott*, Ashton-under-Lyne, licensed victualler.—*Caleb Rothwell*, Crompton, near Oldham, block printer.—*Thomas Price*, Manchester, coach builder.—*Edward Smith*, Burscough, near Ormskirk, out of business.—*Samuel Lord*, Blackburn, cotton spinner.—*George Payne*, Blackburn, out of business.—*Wm. Grunwell*, Liverpool, cattle dealer.—*John Shaw*, Manchester, greengrocer.—*Joseph Dixon*, Manchester, ironmonger.—*Wm. Swinburn*, Manchester, bread baker.—*William Wright*, Liverpool, out of employment.—*Thos. Steeple*, Royton, near Oldham, out of business.—*James Butterworth*, Middleton, near Bury, farm labourer.—*Edward Preston Alcock*, Manchester, out of business.—*John Dickinson*, Manchester, retail beerseller.—*William Coulthard*, Blackpool, fish dealer.—*John Barton* the younger, Ulverston, saddler.

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The Jurist

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*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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LONDON, SEPTEMBER 8, 1849.

We return to the examination of the Joint-stock Companies Winding-up Amendment Act of the 1st August, 1849. We have already noticed the brevity of the affidavit prescribed in verification of any petition for a winding-up order. It will be noticed also that such brevity is rendered nearly compulsory in the best manner, by disallowing (unless specially ordered) the costs of any other affidavit in verification. (Sect. 3).

The 9th section appears to us to have a good effect: by it the word "contributory" is directed, as regards the persons who are to attend before the Master, and the representation of classes, &c.—in fact, in regard to those cases where parties may have, unless specially disallowed, their costs out of the estate—to include *alleged* contributories. The practice under the act of 1848 has been, not to allow any persons to represent classes, or generally, it may be said, to appear under the clause entitling them to the protection of costs out of the estate, unless they were proved or admitted themselves to be actually contributories. This rule was theoretically sound, because it seemed improper that persons, disputing their liability to be on the list at all, should be allowed to appear in support of classes, with whom, if their own contention to be discharged from the list was well founded, they would have no community of interest. But, without searching for arguments to rebut this reasoning, it may be safely asserted, that, practically, the rule was mischievous; because the effect was, that in many cases no persons could be found to represent absent classes, who were in a position to be allowed their costs, and without that guarantie none would incur the risk of attending personally, at their own cost, to watch the interest of others; so that frequently there was not an adequate representation of all the interests intended to be protected.

Under the 12th section the Master may settle the principle and scale of fees, according to which any costs are to be ascertained. It would be very desirable, if under this section, the Masters were to settle, and issue at the earliest possible period, a complete scale of fees. At present there are many points on which uncertainty prevails, to the great inconvenience of all concerned.

The 17th section seems somewhat superfluous. The Masters have considered (and, having regard to the 96th section of the act of 1848, we should humbly conceive have correctly so considered) that they had power to reconsider and review any order made by them. However, if there was any doubt on the point, the 17th section of the present act puts an end to it.

The 18th section carries still further into effect the fundamental principle of the original act of 1848, viz. that of simplifying the process of arriving at the truth, by acting upon the results obtained by the official manager as primâ facie correct, and putting it upon the parties charged, to discharge themselves, instead of putting it first upon the official manager to prove their liability. There can be no doubt that this is a proceeding very inconsistent with the great rule of English jurisprudence, that no one is to be held guilty till he is proved so. Practically, it is possible that occasional inconvenience may result from the rule laid down by these acts, but, speaking generally, they will prevent an immense quantity of captious litigation and expense. It would, however, be very desirable if some rule were laid down, by which the official manager, in charging parties as contributories, were to assign shortly his reasons, or state the facts on which he relies; because, according to the present practice, (in at least some of the

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offices), a person is called upon to shew that he is not a contributory, without having the slightest notion on what particular grounds he is alleged to be one. His name is put on the list, and he is simply called upon to shew cause why he should not be charged, or to be chargeable. The books are all in the possession of the official manager—and it is well known, that three-fourths of the persons who have rendered themselves primâ facie liable as contributories, especially in what are known in the Profession by the term of abortive companies, are profoundly ignorant of what acts they have done or omitted. Hence their Solicitor has to search through the intricacies of all the companies' books, and journals, and documents, to know why his client is charged. A great saving of time and expense would be effected if the official manager, whose duty it is, of course, to *know* why he puts any person's name on the list, or otherwise charges any one, were bound to give him something in the nature of particulars of demand, and reasons.

To the same effect as the 18th are the 32nd and 36th sections, by which proceedings, substantially correct, will not be vitiated by reason of technical inaccuracies. The practitioner must not, however, suppose that there is any probability of the Masters allowing these sections to be the foundation of looseness of practice traceable to mere carelessness. They are obviously intended only to loosen the hands of the Masters, so as to enable them to do substantial justice, when otherwise *mere* form might prevent it—not to enable parties to impose any substantial hardship or danger upon others, and to call upon the Master to give them the benefit of their own carelessness. It will still, therefore, be the duty of the cautious practitioner, to see that his notices do embrace all the objects on which he desires adjudication, and that services are made with as strict a regard to accuracy, in all respects, as he can attain.

We have now cursorily reviewed the principal provisions of this act, which will probably be found most materially to facilitate the working of the act of 1848.

But these acts must be looked at not merely as the machinery for winding up companies. There is much in them that contains the germ of general reform in Chancery proceedings. Their principle is the abolition of separate pleadings by the persons severally interested in the settlement of the affairs of any great body, and the concentration of the several interests in one person, empowered to act individually, as representing the interests of the body, against every person, belonging or not belonging to it, claiming any right inconsistent with the rights of the body. This principle is not applicable merely to companies, but to every case where there are many and conflicting interests in outstanding estates, more especially wherever there is matter of complicated account. In the working out of this principle, the winding-up acts have prescribed many modes of proceeding in detail, which, if they are found to answer their purpose in reference to the winding-up of companies, will soon be found to be much more extensively applicable. Of this class of alterations are the abolition of states of facts; the regular use, on the Master's authority, of vivâ voce evidence; the substitution, already noticed, of short general affidavits, by way of verification of petitions, instead of affidavits echoing every allegation; and many others, which our present space prevents us from enumerating. Each of these may be a trifle, but, in the aggregate, they amount to the abolition of an enormous quantity of useless writing and form; and, consequently, they have the effect of leaving much more of the time of professional men applicable to the full investigation of the law affecting the rights of the parties whom they represent.

Reviews.

A Selection of Leading Cases in Equity, with Notes. By Frederick Thomas White *and* Owen Davies Tudor, *of the Middle Temple, Esqrs., Barristers-at-Law* [*A. Maxwell & Son*, 1849.]

Fonblanque's Equity is now somewhat out of date Story's Equity, though it reads smoothly enough, and has much appearance of being, what the plan of Mr Fonblanque's valuable notes prevented them from being systematic, and is in truth, in many respects, a useful book, does not altogether supply to the English practitioner what Mr. Fonblanque's notes, somewhat systematised and brought down to the present time, would have been. Even Mr. Spence's learned work, as far as it has yet gone, can hardly, we think, be said to have exhausted the subject of English equity *. In this state

* Mr. Spence's second volume has just appeared. As far as we have yet been able to examine his work, it certainly does not supersede that of Messrs. White and Tudor, who, in one important point, that of the conversion of real estate employed in a partnership business, have stated the law (in their note on *Lake* v. *Craddock*, pp. 130, 137) more exactly than Mr. Spence has done. At p. 209 of his second volume, Mr. Spence (following Mr. Collyer) has given the following statement of the present state of the law on this point:—"From what Lord Eldon repeatedly said, it would appear that it was his opinion that, where persons engaged *in trade* as partners (and some of his expressions would seem to include *any* partnership concern) purchase, or acquire in any way, real estate, all such real estate belonging to them jointly, which is appropriated to carrying on the trade, becomes so completely stamped with the character of stock-in-trade, that it must be considered to have been in the contemplation of the parties that on the dissolution it should be sold, together with the rest of the stock, for the purposes of satisfaction of creditors and division, and to have thus become, equally as the rest of the stock-in-trade, personal estate for all purposes, unless that character has been taken away." And to this passage is subjoined the following note:—"*Crawshay* v. *Maule*, (1 Swanst. 508, 518, 521, 523); *Silkrig* v. *Davies*, (2 Dow, 242; 7 Sim. 283, 284). In *Fereday* v. *Wightwick*, (1 Russ. & My. 49), and in *Phillips* v. *Phillips*, (1 My. & K. 663), and *Broom* v. *Broom* (3 My. & K. 444), Sir J. Leach expressed his opinion to be that such was the law in his time, and he acted upon it accordingly: and see *Morris* v. *Kearsley*, (Collyer on Partnership), where Mr. Baron Alderson followed those cases; and see *Jackson* v. *Jackson*, on appeal, (supra, p. 297)."

Now, Sir J. Leach's authority is confined to the second branch of Mr. Spence's proposition, viz. that real estate which is partnership property for the purpose of satisfying partnership demands is also, primâ facie, distributable as personal estate; and does not sanction the other part of it, that real estate held by partners jointly for partnership purposes, however *acquired*, is to be treated as personalty.

In the report of *Phillips* v. *Phillips*, in 1 My. & K., the Honor is made to say, "I confess I have for some years notwithstanding older authorities, considered it to be settled that all property, whatever might be its nature, *purchased with partnership capital for the purposes of the partnership trade*, continued to be partnership capital and to have, to every intent, the quality of personal estate: and in the case of *Fereday* v. *Wightwick* (1 Russ. & My. 45) I had no intention to confine the principle to the payment of the partnership demands. Lord Eldon has certainly, upon several occasions, expressed such an opinion. The case of *Townsend* v. *Devaynes* (1 Mont. Law of Partn., Append., p. 97) is a clear decision to that effect; and general convenience requires that this principle should be adhered to."

But there were other points decided in *Phillips* v. *Phillips* according to a note of that case in a recent work on partnership, which Mr. Spence has overlooked. "In the published report of this case of *Phillips* v. *Phillips*, in 1 My. & K. the only point that appears as determined is, that real estate, purchased with partnership capital for partnership purposes, is personal estate, and as such goes to the personal representative of a deceased partner. But it appears

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of things there was certainly room for a good practical book on the present state of that branch of the English system of jurisprudence which has received the name of Equity. The appearance, therefore, of Messrs. White and Tudor's "Selection of Leading Cases in Equity, with Notes," may be considered as well-timed.

The plan of the work before us, suggested by the justly celebrated "Leading Cases" of the late Mr. John William Smith, neither requires nor admits of a systematic treatise on equity. The work will not, however, on that account, be found less useful, either to the student or to the lawyer engaged in actual business. To the student such a work is a guide to the cases which it is most important for him to read, and the notes subjoined to each case will help him not only to understand the principal case, but will put him in possession of the result of the subsequent decisions on the same subject, and direct him to the various reports where such decisions are to be found at large. With regard to the lawyer engaged in actual practice, though the reason assigned by Mr. J. W. Smith, that the lawyer would willingly carry a selection of leading cases round the circuit with him, does not, perhaps, apply so strongly to leading cases in equity, still we apprehend that practising lawyers of every denomination, including county court judges, would be glad to have a good selection of such cases, with useful notes, in their libraries. In the Preface the editors thus explain the plan of their work, and the mode in which they have carried it out:—

"The plan of this work was suggested by the very 'able volumes of the late Mr. John William Smith, 'which contain a selection of leading cases, princi-'pally taken from the common-law reports; and it was 'thought that it might be useful to the Profession to 'have, within a small compass, a selection of leading 'cases decided in courts of equity.

"Each of the cases chosen will, it is believed, be 'found either to be frequently referred to in practice, 'or to enunciate clearly, for the first time, some import-'ant principle of equity.

"A chronological arrangement of the cases has not 'been observed, because it has been in the present, and 'may be in a subsequent volume, found useful to print 'together cases on the same subject, decided at different 'periods.

"The notes, or abstracts prefixed to the cases, have 'occasionally, when inaccurate or defective, been al-'tered; and, in some instances, the arguments and 'judgment in the same case are taken from different 'reports. Thus, in the well-known case of *Fox* v. '*Mackreth*, the arguments are taken from Brown's 'Chancery Cases, and the judgment from Cox's Re-'ports; and in the celebrated case of *Garth* v. *Cotton* '(a complete report of which is not to be found else-'where) the arguments are taken from two different 'places in Vesey senior's Reports, the judgment from 'Dickens' Reports, and the decree from Atkyns' Re-'ports.

"In the notes, an attempt has been made to de-'velope the principles laid down or acted upon in the 'cases, and to collect the recent authorities; but, as the 'nature of the work would not permit that the notes 'should be complete essays upon the different subjects 'treated of, they have been principally confined to the 'points decided in the cases, to which, in fact, they are 'only intended to be subsidiary.

"It will be seen, that, in the notes, some cases of 'importance are stated at considerable length, and that, 'when it was convenient or practicable, the very words 'of the judges have been preserved."

The following is a list of the leading cases reported in full in this volume. We have added the subject treated in each case, and in the notes subjoined. A table of contents, specifying the subjects as well as the cases, would be found very useful:—

Ackroyd v. *Smithson*—Resulting trust, on failure of the purposes for which conversion has been directed.
Aleyn v. *Belchier*—Fraud upon a power.
Ancaster (Duke of) v. *Mayer*—Primary liability of personal estate to the payment of debts.—Exoneration.
Chesterfield (Earl of) v. *Sir Abraham Janssen*—Post obit securities.—Catching bargains with heirs, expectants, and reversioners.—Confirmation.
Cuddee v. *Rutter*—Specific performance of agreements relating to personal property.
Dering v. *Earl of Winchelsea*—Contribution between co-sureties.
Dyer v. *Dyer*—Purchase in the name of a son.—Advancement.
Elibank (Lady) v. *Montolieu*—Wife's equity to a settlement.
Elliot v. *Merryman*—Liability of a purchaser to see to the application of his purchase-money.
Ellison v. *Ellison*—Voluntary trusts.
Fletcher v. *Ashburner*—Conversion.
Fox v. *Mackreth*—Purchase by a trustee for sale.
Garth v. *Sir John Hind Cotton*—Equitable waste.
Glenorchy (Lord) v. *Bosville*—Executed and executory trusts.
Hulme v. *Tenant*—Wife's separate property.
Keech v. *Sandford*—Renewal of a lease by a trustee.
Lake v. *Craddock* } —Joint purchasers.
Lake v. *Gibson* }
Legg v. *Goldwire*—Executed and executory trusts.

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pears from the MS. notes of Mr. Williamson, one of the counsel for the plaintiffs in the case, which are now before me, that the following important points were also determined:—1. Public-houses devised by the uncle, who was a brewer, to the two nephews, who carried on the brewery as partners, were held not to be partnership property, though they were used exactly as the former. The defendants, on attempting to argue this, were stopped by the Master of the Rolls. 2. So, where the uncle had mortgages of public-houses, whether in fee or for years, which he devised to his nephews, and the nephews purchased the equity of redemption out of partnership funds, the equity of redemption was held to follow the mortgage, and not to become partnership property. The decision in *Phillips* v. *Phillips* was followed in *Broom* v. *Broom*, (3 My. & K. 443), and in *Morris* v. *Kearsley*, (2 You. & C. 139)." (Bisset on Partnership, p. 50).

In the same work (pp. 55, 56) the result of all the cases is thus stated:—"1. That, in the absence of a specific agreement to the contrary, real estate, *purchased with partnership funds for partnership purposes*, is converted out and out into personal estate, and therefore goes to the personal representative, and not to the heir of a deceased partner. 2. That real estate, purchased with partnership property, *but not* for partnership purposes, is not converted into personalty. 3. That real estate, brought into partnership by a partner under an agreement that during the partnership, and if necessary for partnership purposes after the expiration of the partnership, it should be considered as personal estate, but *not purchased* with partnership funds, and not required to be sold for payment of debts, or for any of the other purposes of the partnership, is not converted into personal estate, as between heirs and personal representatives. 4. That real estate, devised to partners is not partnership property, though used for partnership purposes. 5. That though partners purchase, with partnership funds, the equity of redemption of mortgages devised to them, the equity of redemption follows the mortgage, and does not become partnership property."

In *Phillips* v. *Phillips* the houses in question belonged to the partners as tenants in common; so that the case does not contradict Mr. Spence's proposition, which relates to real estate vested in the partners jointly. But we are not aware of any authority in its favour. Messrs. White and Tudor cite Mr. Bisset's note of *Phillips* v. *Phillips*, but they do not notice that the second point (as to the mortgaged public-houses) was erroneously decided, if, as is to be inferred, the houses were used in the trade. (See 11 Jur., part 2, p. 100).

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Lester v. *Foxcroft*—Part performance of a parol contract respecting land.
Mackreth v. *Symmons*—Vendor's lien for unpaid purchase-money.
Marsh v. *Lee*—Tacking incumbrances.
Murray v. *Lord Elibank*—Wife's equity to a settlement.
Noys v. *Mordaunt*—Election.
Pusey v. *Pusey*—Specific delivery up of chattels.
Russel v. *Russel*—Equitable mortgage by deposit of title-deeds.
Somerset (Duke of) v. *Cookson*—Specific delivery up of chattels.
Strathmore (Countess of) v. *Bowes*—Fraud on marital rights.
Streatfield v. *Streatfield*—Election.
Tollet v. *Tollet*—Defective execution of a power aided.
Ward v. *Turner*—Donatio mortis causâ.

It will be seen that this list embraces a large and most important range of subjects. The notes subjoined to each of the cases, which are intended to exhibit the present state of the law on each subject treated in the principal case, display much learning and ability, and bear evidence of being the result of a careful and conscientious examination of all the cases on the subjects discussed. They are, in general, written very much in the style in which such notes should be written; that is, in a style combining the greatest degree of brevity that is compatible with clearness. As a specimen of the style we extract a portion of the valuable note on Executed and Executory Trusts:—

"It is proposed in this note to consider the distinction between trusts *executed* and *executory*, and the consequences which result from it with reference to the limitation of estates.

"A trust is said to be *executed* when no act is necessary to be done to give effect to it, the limitation being originally complete; as where an estate is conveyed or devised unto and to the use of A. and his heirs, in trust for B. and the heirs of his body.

"A trust is said to be *executory* where some further act is necessary to be done by the author of the trust, or the trustees, to give effect to it; as in the case of marriage articles, and as in the case of a will where property is vested in trustees, in trust to *settle* or *convey;* in both which cases a further act, viz. a settlement or conveyance, is contemplated.

"It is now clearly established, as laid down by Lord Talbot in *Lord Glenorchy* v. *Bosville*, that a court of equity, in cases of *executed trusts*, will construe the limitations in the same manner as similar legal limitations. If, for instance, an estate is vested in trustees and their heirs, in trust for A. for life, without impeachment of waste, with remainder to trustees to preserve contingent remainders, with remainder in trust for the heirs of A.'s body, the trust being an executed trust, A., according to the rule in *Shelley's case*, which is a rule of law, will be held to take an estate tail. (See *Wright* v. *Pearson*, 1 Eden, 119; *Austen* v. *Taylor*, Id. 361; *Jones* v. *Morgan*, 1 Bro. C. C. 206; *Jervoise* v. *The Duke of Northumberland*, 1 J. & W. 559, clearly overruling the opinion expressed by Lord Hardwicke in *Bagshaw* v. *Spencer*, 2 Atk. 577, when he erroneously reversed the decision of Sir Joseph Jekyll, M. R. See also *Boswell* v. *Dillon*, 1 Dru. 291).

"In cases, however, of *executory trusts*, where, according to Lord Talbot's observation in *Lord Glenorchy* v. *Bosville*, *something is left to be done, viz. the trusts are left to be executed in a more careful and more accurate manner*, a court of equity is not, as in cases of *executed trusts*, bound to construe technical expressions with legal strictness, but will mould the trusts according to the intent of the creator of the trusts.

"It is observed, by Lord Talbot, in *Lord Glenorchy* v. *Bosville*, that the rule is not generally true, that in articles and executory trusts (meaning executory trusts in wills) different constructions are to be admitted. This is correct with the qualification or distinction, that, in executory trusts under marriage articles, the intention of the parties may fairly be presumed à priori from the nature of the transaction; in executory trusts in wills, it must be gathered from the words of the will alone. Lord Eldon seems to have denied this distinction in *The Countess of Lincoln* v. *The Duke of Newcastle*, (12 Ves. 227, 230); but see his explanation in the case of *Jervoise* v. *The Duke of Northumberland*, (1 J. & W. 574). The distinction has been well put by Sir W. Grant, M. R., in *Blackburn* v. *Stables*, (2 Ves & B. 369). 'I know,' observes his Honor, 'of no difference between an executory trust in marriage articles and in a will, except that the object and purpose of the former furnish an indication of intention, which must be wanting in the latter. When the object is to make a provision, by the settlement of an estate, for the issue of a marriage, it is not to be presumed that the parties meant to put it in the power of the father to defeat that purpose, and appropriate the estate to himself. If, therefore, the agreement is to limit an estate for life, with remainder to the heirs of the body, the Court decrees a strict settlement, in conformity to the presumable intention; but if a will directs a limitation for life, with remainder to the heirs of the body, the Court has no such ground for decreeing a strict settlement. A testator gives arbitrarily what estate he thinks fit; there is no presumption that he means one quantity of interest rather than another—an estate for life rather than in tail or in fee. The subject being mere bounty, the intended extent of that bounty can be known only from the words in which it is given; but if it is clearly to be ascertained, from anything in the will, that the testator did not mean to use the expressions which he has employed, in their strict proper technical sense, the Court, in decreeing such settlement as he has directed, will depart from his words in order to execute his intention.' In *Lord Deerhurst* v. *The Duke of St. Alban's*, (5 Madd. 260), Sir J. Leach, V. C., observes, as to the distinction between marriage articles and a will, ''You are guided to the meaning of articles by the plain object of consideration in them, the issue of the marriage; but you know nothing of the motive and object of a will but what you collect from the language of it.' (See also *Maguire* v. *Scully*, 2 Hog. 113; *Stratford* v. *Powell*, 1 Ball & B. 25).

"In consequence of the distinction adverted to, it will be most convenient to consider executory trusts under marriage articles and executory trusts under wills separately." (Pp. 18, 19).

With regard to the question, whether, since the passing of the stat. 8 & 9 Vict. c. 106, a limitation to trustees to preserve contingent remainders is necessary, the editors, in their note on the important case of *Garth* v. *Cotton*, (a case which is well worth the careful perusal not only of every student of law, but of every man who wishes to see a chain of reasoning that carries the mind along almost with the force of a mathematical demonstration, and that, too, couched in nervous, plain, and idiomatic English), after discussing it, though with somewhat too great brevity, conclude, we think, rightly, that, "where the legal fee is not vested in trustees, a limitation to trustees to support contingent remainders is still necessary, when there is only a previous estate for years; and it is conceived, that, even where there is a previous estate of freehold, it may still be useful, as the trustees to support contingent remainders can, by an application for an injunction before the contingent remainder-man comes into esse, protect his estate from waste." (P. 497).

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We shall make one more extract, which appears to us to be extremely well done. In the note on the case of *Fox* v. *Mackreth*—which established the rule, that a purchase by a trustee for sale from his cestui que trust, although he may have given an adequate price, and gained no advantage, shall be set aside at the option of the cestui que trust, unless the connexion between them has been dissolved, and all knowledge of the value of the property acquired by the trustee has been communicated to his cestui que trust—the editors, after giving an enumeration of cases which come under the prohibitory rule, and also of the cases wherein a trustee can purchase from a cestui que trust, thus proceed:—

"It remains to consider the nature of the relief a court 'of equity will grant against a trustee or other person 'who has made a purchase which is improper, according to the rules before laid down, and upon what terms 'that relief will be granted.

"The cestui que trust, if he wishes it, can insist upon 'a re-conveyance of the estate from the trustee who 'purchased, if it remains in his hands unsold; (*The* 'York Buildings Company v. *M'Kenzie*, 8 Bro. P. C. 42, 'Toml. ed.; *Lord Hardwicke* v. *Vernon*, 4 Ves. 411; '*Randall* v. *Errington*, 10 Ves. 423); or from a person 'who has purchased from him, with notice. (*The At*'torney-General v. *Lord Dudley*, Coop. 146; *Dunbar* v. 'Tredennick, 2 Ball & B. 304). But the re-conveyance 'will only be decreed upon the terms of his repaying 'the purchase-money, with interest at 4*l.* per cent., 'and all sums which may have been expended in re'pairs and improvements of a permanent and lasting 'nature, and also such as have a tendency to bring the 'estate to a better sale. On the other hand, there 'must be an allowance for acts that deteriorate the value 'of the estate, and the trustee must account for all rents 'received by him, and for all profits, such as money 'arising from the sale of timber; and he must also pay 'an occupation rent for such part of the estate as may 'have been in his actual possession. (*Hall* v. *Hallet*, '1 Cox, 134; *Ex parte Hughes*, 6 Ves. 624, 625; *Camp*'bell v. *Walker*, 5 Ves. 682; *Ex parte Bennett*, 10 Ves. '400, 401; *Robinson* v. *Ridley*, 6 Madd. 2; *Ex parte* '*James*, 8 Ves. 351; *Ex parte Lacey*, 6 Ves. 630; *Wat*'son v. *Toone*, 6 Madd. 153; *The York Buildings Com*'pany v. *M'Kenzie*, 8 Bro. P. C. 42, Toml. ed.)

"If the cestui que trust does not wish for a re-con'veyance of the estate, an order will be made, that the 'expense of repairs and improvements, not only sub'stantial and lasting, but such as have a tendency to 'bring the estate to a better sale, after making an al'lowance for acts that deteriorate the value of the estate, 'shall be added to the purchase-money, and that the 'estate shall be put at the accumulated sum: if any one 'makes an advance upon that sum, the trustee shall not 'have the estate; if no one does, he will be held to his 'purchase. (*Ex parte Reynolds*, 5 Ves. 707; *Ex parte* '*Hughes*, 6 Ves. 617; *Ex parte Lacey*, Id. 625; *Lister* 'v. *Lister*, Id. 631; *Ex parte Bennett*, 10 Ves. 381; *Ex* '*parte Hewitt*, 2 M. & A. 477). But where the trustee 'has bought the estate in one lot, and the cestuis que 'trust are desirous of having it sold in several lots, the 'cestuis que trust must first repay him all the money 'he has advanced, with interest, he accounting for the 'rents received by him, or paying an occupation rent, 'if he actually occupied the estate. (*Ex parte James*, '8 Ves. 351).

"Although the purchaser has paid the purchase-'money into court, and it has been invested in the 'funds, he will not be entitled to any benefit from any 'advance in the funds, but to his purchase-money and 'interest only; for, if the stock had fallen, instead of 'advancing, he could not have been compelled to take 'it. (*Ex parte James*, 8 Ves. 351).

"Where the trustee has *re-sold* the estate, the ces'tui que trust can, as in the principal case, make him 'account for what he has received over and above the 'purchase-money he himself paid, with interest at 4*l.* 'per cent. (*Ex parte Reynolds*, 5 Ves. 707; *Hall* v. '*Hallet*, 1 Cox, 134).

"The costs of the suit, where the sale is set aside, 'must be paid by the trustee, (*Sanderson* v. *Walker*, '13 Ves. 601; *Hall* v. *Hallet*, 1 Cox, 141; *Whichcote* v. '*Lawrence*, 3 Ves. 740; *Dunbar* v. *Tredennick*, 2 Ball '& B. 304; see, however, *Baker* v. *Carter*, 1 You. & C. 'Exch. Cas. 250), unless there has been great delay on 'the part of the cestui que trust. (*The Attorney-Ge*'neral v. *Lord Dudley*, Coop. 146). And even if the 'cestui que trust fails to set aside the sale on account 'of his own delay, the Court may refuse the trustee 'his costs. (*Gregory* v. *Gregory*, Coop. 201; *Champion* 'v. *Rigby*, 1 Russ. & My. 539).

"Acquiescence for a long time in an improper sale 'will disable a person from coming into a court of equity 'to set it aside. (*Morse* v. *Royal*, 12 Ves. 355; *Price* v. '*Byrne*, cited with approbation by Lord Alvanley in 'Campbell v. *Walker*, 5 Ves. 681; *Champion* v. *Rigby*, '1 Russ. & My. 539; *Roberts* v. *Tunstall*, 4 Hare, '257). But 'to fix acquiescence upon a party, it should 'unequivocally appear that he knew the fact upon 'which the supposed acquiescence is founded, and to 'which it refers.' (Per Sir William Grant, M. R., in '*Randall* v. *Errington*, 10 Ves. 428). (See also *Chal*'mer v. *Bradley*, 1 J. & W. 51; *Trevelyan* v. *Charter*, '4 Law Journ., Chanc., 209; S. C., 11 Cl. & Fin. 714). 'And the distress of the cestui que trust may be an ex'cuse for acquiescence. (*Gregory* v. *Gregory*, Coop. 201; '*Roche* v. *O'Brien*, 1 Ball & B. 342). But it has been 'held that laches do not apply to a body of creditors, 'to whom relief will be granted, when it would be re'fused to an individual. (See case in the Exchequer, 'cited 6 Ves. 632; *Whichcote* v. *Lawrence*, 3 Ves. 740; '*The York Buildings Company* v. *M'Kenzie*, 8 Bro. 'P. C. 42, Toml. ed.)

"A cestui que trust may confirm an invalid sale, so 'that he cannot afterwards set it aside. (*Morse* v. *Royal*, '12 Ves. 355; *Roche* v. *O'Brien*, 1 Ball & B. 353). 'But, in order to constitute a valid confirmation, a 'person must be aware that the act he is doing will 'have the effect of confirming an impeachable transac'tion. (*Murray* v. *Palmer*, 2 S. & L. 486; *Dunbar* v. '*Tredennick*, 2 Ball & B. 317; *Malony* v. *L'Estrange*, '1 Beat. 413; *Adams* v. *Clifton*, 1 Russ. 297; *Cocke*'rell v. *Cholmeley*, 1 Russ. & My. 425; *Chalmer* v. '*Bradley*, 1 J. & W. 51). Nor will the act of con'firmation be valid, if it be done in distress and diffi'culties, under the force, pressure, and influence of the 'former transaction. (*Crowe* v. *Ballard*, 3 Bro. C. C. '120; *Wood* v. *Downes*, 18 Ves. 128; *Roche* v. '*O'Brien*, 1 Ball & B. 330). And it must be an act 'separate and distinct from the impeachable transac'tion, and not, as in the principal case, a conveyance 'executed in consequence of a former contract or cove'nant. (*Morse* v. *Royal*, 12 Ves. 373; *Wood* v. *Downes*, '18 Ves. 124, 128; *Roche* v. *O'Brien*, 1 Ball & B. '338). A confirmation of an invalid sale, by the ma'jority of the creditors of a bankrupt, will not be bind'ing upon the minority. (See *Ex parte Lacey*, 6 Ves. '628; *Sir G. Colebrooke's case*, cited in *Ex parte Hughes*, '6 Ves. 622, overruling *Whelpdale* v. *Cookson*, cited 'in *Campbell* v. *Walker*, 5 Ves. 682; S. C., 1 Ves. 9; '*Ex parte Thwaites*, 1 M. & A. 323)." (Pp. 115—117).

There are leading and misleading cases, and it seems to fall strictly within the province of an editor of cases belonging to the former class to warn his readers against such of the latter kind as, not having been overruled, may fall in his way. This part of their duty the learned editors have not, in our opinion, sufficiently discharged. They have used research and judgment in

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the selection and application of their illustrations, but they have seldom undertaken the responsibility of discussing doubtful or erroneous decisions. Possibly they adopt an opinion which is not uncommon, that "we should avoid throwing doubts on decisions; for it is better that the law should be settled imperfectly, than that it should be ever unsettled and in the course of improvement." But it is a fallacy to call the upholding of anomalous decisions a settlement of the law. Judges follow precedents, but, as no two cases agree in the concrete, they necessarily follow precedents as principles; and when they follow an anomalous precedent, though they may settle the law for a small nucleus of cases in which the erroneous precedent must either be followed or be flatly overruled, they unsettle it for a much larger number of cases lying round about, in which the almost endless distinctions, qualifications, and exceptions must be debated and established, that at length constitute rather a nebulous margin between truth and error, than a limit to either. An erroneous decision is like a bad act of Parliament—it may be overruled or repealed with, at most, a trifling temporary inconvenience; if it remains law, it is the parent of endless litigation. We have only space shortly to refer to a single example of the defect we complain of. In the note to *Elliot* v. *Merryman* the learned editors state Lord Lyndhurst's decision in *Forbes* v. *Peacock*, (1 Ph. 717), that executors having authority to sell real estate for the payment of debts, and also for other purposes, can, by force of the charge of debts, give a good discharge for the purchase-money, although they so behave as to give to the purchaser notice (and notice from themselves, which is the important point) that they know of no unpaid debts, and are not selling for the payment of debts. Messrs. White and Tudor cite this judgment without comment, and without referring to the construction put upon it in a note by the reporter, apparently sanctioned by Lord Lyndhurst—a construction strikingly at variance with the terms of the decision. That the judgment, both according to its literal purport, and according to Mr. Phillips's explanation of it, is unsound, and has unsettled a doctrine which previously was well defined and well established, a contributor has endeavoured to shew at large elsewhere, (11 Jur., part 2, pp. 110, 124), and we shall content ourselves with referring to his argument.

PUBLIC GENERAL STATUTES.

12 & 13 Victoriæ.—Session 2.

CAP. I.

An Act to consolidate the Boards of Excise and Stamps and Taxes into One Board of Commissioners of Inland Revenue, and to make Provision for the Collection of such Revenue. [27th February, 1849.]

CAP. II.

An Act to continue, until the 1st Day of September, 1849, an Act of the last Session, for empowering the Lord-Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain such Persons as he or they shall suspect of conspiring against her Majesty's Person and Government. [27th February, 1849.]

CAP. III.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year 1849. [9th March, 1849.]

CAP. IV.

An Act to amend the Laws relating to the Appointment of Vice-Guardians of Unions in Ireland. [9th March, 1849.]

CAP. V.

An Act to authorise an Advance of Money for the Relief of certain distressed Poor-law Unions in Ireland. [9th March, 1849.]

CAP. VI.

An Act to repeal an Act of the Twenty-first Year of George II, for holding the Summer Assizes at Buckingham; and to authorise the Appointment of a more convenient Place for holding the same. [9th March, 1849.]

CAP. VII.

An Act to authorise the Inclosure of certain Lands in pursuance of the Fourth Annual General Report of the Inclosure Commissioners for England and Wales. [9th March, 1849.]

Sect. 1. Inclosures mentioned in schedule may be proceeded with.

2. Short title.

CAP. VIII.

An Act to remove Doubts as to the Appointment of Overseers in Cities and Boroughs. [22nd March, 1849.]

CAP. IX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the 25th Day of March, 1850. [3rd April, 1849.]

CAP. X.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [3rd April, 1849.]

CAP. XI.

An Act to amend the Laws in England and Ireland relative to Larceny and other Offences connected therewith. [3rd April, 1849.]

Sect. 1. Punishment of transportation taken away in the case of simple larceny.

2. Tenants and lodgers stealing from houses or apartments let to them, if the value exceed 5*l*., punishable as before the passing of this act.

3. Larceny, &c., after two previous summary convictions, punishable as before the passing of this act.

4. In indictments against persons twice convicted it shall be sufficient to state the fact, and certified copies of convictions to be evidence.

CAP. XII.

An Act for the Regulation of her Majesty's Royal Marine Forces while on Shore. [3rd April, 1849.]

CAP. XIII.

An Act to provide a more effectual Regulation and Control over the Maintenance of poor Persons in Houses not being the Workhouses of any Union or Parish. [11th May, 1849.]

CAP. XIV.

An Act to enable Overseers of the Poor and Surveyors of the Highways to recover the Costs of distraining for Rates. [11th May, 1849.]

CAP. XV.

An Act to amend an Act of the Fifty-fourth Year of King George III, for the Recovery of small Sums due for Wages in Ireland. [11th May, 1849.]

CAP. XVI.

An Act to protect Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Execution of their Office. [11th May, 1849.]

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CAP. XVII.

An Act to continue for Five Years so much of an Act of the Second and Third Years of her present Majesty as enables Justices to grant Warrants for entering Places in which Spirits are sold without License in Ireland.

[11th May, 1849.]

CAP. XVIII.

An Act for the holding of Petty Sessions of the Peace in Boroughs, and for providing Places for the holding of such Petty Sessions in Counties and Boroughs.

[11th May, 1849.]

Sect. 1. *Petty Sessions of the Peace in Boroughs.*
2. *Justices at General or Quarter Sessions, or the Council in Boroughs, may provide Places for holding Petty Sessions. The Justices or Council may agree for the Use of the County Court for that Purpose.*
3. *Justices of the Peace of different Counties may provide Places for holding Petty Sessions at the joint Expense of such Counties.*

Whereas certain meetings of justices of the peace called petty sessions of the peace are holden in and for certain divisions of the several counties of England and Wales called petty sessional divisions, and important duties have lately been assigned to the justices attending at such petty sessions, and to their clerks, by certain acts of Parliament, and it is desirable to declare and enact that the sittings of justices of the peace, or of a stipendiary magistrate, in and for every city, borough, or town corporate having a separate commission of the peace, or for any part thereof, shall be deemed a petty sessions of the peace within the meaning of such acts, and that buildings or places at which such petty sessions may be holden shall, where necessary, be provided: be it therefore enacted, &c., that every sitting and acting of justices of the peace, or of a stipendiary magistrate, in and for any city, borough, or town corporate having a separate commission of the peace, or any part thereof, within England and Wales, at any police court or other place appointed in that behalf, shall be deemed a petty sessions of the peace, and the district for which the same shall be holden shall be deemed a petty sessional division, within the meaning of any acts of Parliament, already made or hereafter to be made, having relation to such petty sessions, or to any business to be transacted thereat.

2. That in all cases where at present there are not, or where hereafter there shall not be, any fit or proper place for the holding of such petty sessions within any such petty sessional division as aforesaid, in any county, riding, liberty, or division within England and Wales, or within any city, borough, or town corporate within the same, it shall be lawful for the justices of the peace for any such county, riding, liberty, or division, in general or quarter sessions assembled, and for the council or other governing body in any such city, borough, or town corporate having a separate commission of the peace, respectively, if they shall respectively think fit, from time to time to direct that fit and proper places be hired or otherwise provided for the holding of such petty sessions of the peace within any such petty sessional division as aforesaid, and that the expenses thereof and attendant thereon be paid out of the county rate or borough fund respectively, as the case may be: provided always, that no such direction for hiring or otherwise providing any place for the holding of such petty sessions shall be given by the justices for any such county, riding, liberty, or division, so assembled as aforesaid, unless an application in writing for that purpose, signed by the justices of the peace acting in such petty sessional division, or the major part of such justices, shall have been transmitted to the clerk of the peace six weeks at the least before the holding of the general or quarter sessions at which such direction shall be given; and the clerk of the peace shall cause notice of such application to be published in some newspaper circulating in the same county, riding, liberty, or division, and in which the advertisements of county business are usually inserted, fourteen days at the least before the holding of such general or quarter sessions: provided always, that in every such case when it may be so required to provide a fit and proper place for the holding of such petty sessions as aforesaid, if it shall appear to the justices so assembled as aforesaid, or to the council of such city, borough, or town corporate, respectively, that the county court for the district is holden in any building or place which would be appropriate for the holding of such petty sessions, it shall be lawful for such justices or council respectively to contract with the treasurer of such county court for the use and occupation thereof or of so much thereof as may be needed for the purposes of such petty sessions, for such time or times, weekly or otherwise, and at such annual rent, and subject to such conditions as to repairs, alterations, or improvements of such building or place, as may be agreed upon.

3. Provided always, and be it enacted, that where justices of the peace, acting as such for two or more adjoining counties, ridings, liberties, or divisions, hold petty sessions on or near the common boundaries of such counties, ridings, liberties, or divisions, it shall be lawful for the justices of the peace of each of such counties, ridings, liberties, or divisions, upon such application as hereinbefore provided, to agree with the justices of the peace of the other or others of such counties, ridings, liberties, or divisions, that a place for the holding of such petty sessions be hired or otherwise provided within either of such counties, ridings, liberties, or divisions, and that the same be so hired or otherwise provided at the joint expense of such counties, ridings, liberties, or divisions, in such manner and proportions as in the said agreement shall be specified; and all the provisions of an act of the last session, [11 & 12 Vict. c. 101], intituled "An Act to provide for the Expenses of erecting and maintaining Lock-up Houses on the Borders of Counties," concerning the appointment and re-assembling of committees, filling up vacancies in committees, the proceedings of committees, the agreement to be drawn by them (except so far as respects the appointment and salary of a superintendent constable), and the powers of the court of general or quarter sessions and of committees in relation to such agreement, and the executing the same, and doing all necessary acts consequential upon such agreement, shall extend and be applicable to every agreement to be made under this act by and between the justices of two or more such counties, ridings, liberties, or divisions as aforesaid, as if such provisions had been here repeated, and the agreement to be made as aforesaid under this act, and the place to be provided for the holding of such petty sessions as aforesaid, had been substituted in such provisions for such agreement and lock-up house as in the said act mentioned.

CAP. XIX.

An Act to make perpetual an Act of the Tenth and Eleventh Years of her present Majesty, for authorising the Removal of Prisoners from the several Gaols in Ireland in Cases of Epidemic Diseases. [11th May, 1849.]

CAP. XX.

An Act for raising the Sum of Seventeen Millions Seven Hundred and Eighty-six Thousand Seven Hundred Pounds by Exchequer Bills, for the Service of the Year 1849.

[11th May, 1849.]

CAP. XXI.

An Act to confirm certain Acts of the Legislature of Newfoundland respecting the re-building of the Town of St. John's, Newfoundland, and to enable the said Legislature to make other Provisions respecting the re-building of the said Town. [24th May, 1849.]

CAP. XXII.

An Act to remove Doubts concerning the Validity of certain Grants of Land in the Colony of New South Wales.

[24th May, 1849.]

CAP. XXIII.

An Act to authorise further Advances of Money for the improvement of Landed Property, and the Extension and Promotion of Drainage and other Works of Public Utility, in Ireland. [24th May, 1849.]

CAP. XXIV.

An Act to make Provision, until the 31st Day of December, 1850, for a General Rate in Aid of certain distressed Unions and Electoral Divisions in Ireland. [24th May, 1849.]

CAP. XXV.

An Act for giving Effect to the Stipulations of a Treaty between her Majesty and the Queen of Portugal, for the Apprehension of certain Deserters. [26th June, 1849.]

(To be continued).

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London Gazettes.

TUESDAY, September 4.

BANKRUPTS.

GEORGE BORER, Great Chapel-street, Westminster, Middlesex, tea dealer, grocer, and lodging-house keeper, dealer and chapman, Sept. 13 and Oct. 12 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Hill & Matthews, 1, Bury-court, St. Mary Axe. — Fiat dated Aug. 28.

WILLIAM TURNPENNY, Birmingham, jeweller and silversmith, dealer and chapman, Sept. 25 and Oct. 30 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Bartleet, Birmingham; Holme & Co., New-inn, London.—Fiat dated Aug. 31.

CHARLES GREEN, Bristol, baker, dealer and chapman, Sept. 18 and Oct. 16 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Perkins, Bristol.—Fiat dated Aug. 23.

THOMAS LANO, Portland, Dorsetshire, baker, dealer and chapman, Sept. 13 at 1, and Oct. 10 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Phillips, Weymouth; Terrell, Exeter; Combe, 9, Staple-inn, London.—Fiat dated Aug. 31.

ROBERT TAYLOR, Little Horton, near Bradford, Yorkshire, dealer in provisions and flour, and general shopkeeper, dealer and chapman, Sept. 20 and Oct. 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Foster, Bradford; Harle & Clarke, Leeds; Nethersole, New-inn, Strand, London.—Fiat dated Aug. 23.

Meetings.

John Jones the younger, and *Thomas Oakes*, Kingswinford, Staffordshire, ironmasters, Sept. 26 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Benjamin Hart Thorold*, Harmston, Lincolnshire, and Harlesden-green, Willesden, Middlesex, dealer and chapman, Sept. 26 at half-past 11, Court of Bankruptcy, London, and. ac.—*Samuel Vines*, Crutched Friars, London, corn factor, Sept. 25 at 2, Court of Bankruptcy, London, and. ac.—*Wm. Shackel*, Canning-place, Old-street, St. Luke's, Middlesex, bacon merchant, Sept. 26 at 11, Court of Bankruptcy, London, and. ac.—*Robert Belson*, Norwich, plumber, Sept. 26 at 11, Court of Bankruptcy, London, and. ac.—*Wm. Speller*, Berkeley-street West, and *George Trigg*, Inverness-road, Paddington, Middlesex, builders, Sept. 25 at 11, Court of Bankruptcy, London, and. ac.; Sept. 26 at 12, div.—*Benjamin Dickison*, Little Tower-street, London, wine merchant, Sept. 25 at half-past 11, Court of Bankruptcy, London, and. ac.—*George Rackham*, Southtown, otherwise Little Yarmouth, Suffolk, wine merchant, Sept. 25 at half-past 11, Court of Bankruptcy, London, and. ac.—*Henry Lister*, Far Newland, St. Martin, Lincoln, miller, Sept. 26 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, and. ac. —*Wm. Wreford*, *Edwin Cox Nicholls*, and *Wm. Ellicombe Wreford*, Bristol, stock brokers, Sept. 28 at 11, District Court of Bankruptcy, Bristol, and. ac.—*James William Taylor*, Exchange-buildings, London, merchant, Sept. 25 at 2, Court of Bankruptcy, London, div.—*John Henry Skelton*, Piccadilly, Manchester warehouseman, Sept. 25 at 12, Court of Bankruptcy, London, div.—*Wm. Bates*, Welbeck-street, Cavendish-square, Middlesex, auctioneer, Sept. 25 at 1, Court of Bankruptcy, London, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Walker, Coleman-street, London, oilman, Sept. 26 at 1, Court of Bankruptcy, London.—*Joseph Turner*, Newmarket, Suffolk, saddler, Sept. 26 at half-past 1, Court of Bankruptcy, London.—*Thomas Nokes* the elder, Upminster and Stifford, Essex, miller, Sept. 25 at 11, Court of Bankruptcy, London.—*Thomas Barrett*, Oxford, timber merchant, Sept. 25 at half-past 12, Court of Bankruptcy, London.—*John Nichols*, Cheltenham, Gloucestershire, innkeeper, Sept. 25 at 11, District Court of Bankruptcy, Bristol.—*Charles Henry Lambert*, Kingston-upon-Hull, druggist, Sept. 26 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*Abraham Dunn*, Hedon in Holderness, East Riding of Yorkshire, attorney at law, Sept. 26 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*Wm. Henry Cooke*, Denton, Lancashire, hat manufacturer, Sept. 25 at 12, District Court of Bankruptcy, Manchester.—*Filmer Keen*, Warwick, innkeeper, Sept. 26 at 12, District Court of Bankruptcy, Birmingham.—*William Henry Maybury*, Worcester, hosier, Sept. 26 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Sept. 25.

William Wilkinson, Birmingham, grocer.—*Wm. Prosser Martin*, Bath, wine merchant.—*John Newcastle*, Gateshead, Durham, copperas maker.—*Stephen Dancey*, Brighton, Sussex, builder.—*William Pyman*, St. Osyth, Essex, corn merchant.

Fiat Annulled.

James Smith, Birkenhead, Cheshire, slate and cement merchant.

Partnerships Dissolved.

Henry Harpur, *Samuel Shaen*, and *Joseph Humphry Grant*, Kennington-cross, Surrey, attornies and solicitors, (under the style or firm of Messrs. Harpur, Shaen, & Grant), so far as regards the said Henry Harpur.—*Charles Davies* and *Thomas Hans Edwards*, Southampton, attornies at law and solicitors.

Scotch Sequestrations.

John Noble, Hammerbrake, Sandy, Orkney, cattle dealer. —*Alex. Brown*, deceased, Broughton Ferry, Forfarshire, stay maker.—*Richard Shannon Michie*, Edinburgh, engraver.—*John Allan*, deceased, Glasgow, writer.—*Wm. Ballantyne*, deceased, Glasgow, spirit dealer.—*David Bruce Langlands*, Dundee, machine maker.—*James Annand*, Keith, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Grundy Kay, Bury, Lancashire, hatter, Sept. 26 at 12, County Court of Lancashire, at Bury.—*William Holness*, Herne-bay, Kent, cowkeeper, Sept. 13 at 10, County Court of Kent, at Canterbury.—*David Morgan*, Walton-on-the-Hill, near Liverpool, bookkeeper, Sept. 10 at 10, Liverpool District County Court, at Liverpool.—*Thos. Southern*, Liverpool, licensed victualler, Sept. 10 at 10, Liverpool District County Court, at Liverpool.—*Jesse James Hudson*, Liverpool, baker, Sept. 10 at 10, Liverpool District County Court, at Liverpool.—*William Germain Charles*, Liverpool, general dealer in fancy goods, Sept. 10 at 10, Liverpool District County Court, at Liverpool.—*Robert Johnson*, Newcastle-upon-Tyne, mason, Sept. 20 at 10, County Court of Northumberland, at Newcastle.—*Robert Dewar*, Newcastle-upon-Tyne, confectioner, Sept. 20 at 10, County Court of Northumberland, at Newcastle.—*George Bishop*, Lincoln, watch maker, Sept. 17 at 10, County Court of Lincolnshire, at Lincoln.—*Edwin Tagg*, Bilston, Staffordshire, butcher, Sept. 28 at 12, County Court of Staffordshire, at Wolverhampton.—*James Mumby*, Newport, Lincolnshire, wheelwright, Sept. 17 at 10, County Court of Lincolnshire, at Lincoln.—*William Ashton*, Lincoln, bricklayer, Sept. 17 at 10, County Court of Lincolnshire, at Lincoln.—*George Matthews*, New Town, Cambridge, boot and shoe maker, Sept. 22 at 3, County Court of Cambridgeshire, at Cambridge. —*Thomas Frankland*, Whitley, Reading, Berkshire, farming bailiff, Sept. 20 at 10, County Court of Berkshire, at Reading. —*Chas. G. Gowen*, Bath, razor maker, Sept. 8 at 12, County Court of Somersetshire, at Bath.—*Thomas Fulton*, Heddon-on-the-Wall, Northumberland, merchant, Sept. 20 at 10, County Court of Northumberland, at Newcastle.—*John Clay Dawson*, Upton Magna, Shropshire, railway clerk, Sept. 18 at 10, County Court of Shropshire, at Shrewsbury.—*T. Milner*, Great Grimsby, Lincolnshire, beer-shop keeper, Sept. 25 at 1, County Court of Lincolnshire, at Great Grimsby.—*Wm. Ratcliffe*, Liversedge, Birstal, Yorkshire, commercial traveller, Sept. 20 at 10, County Court of Yorkshire, at Dewsbury.

Saturday, Sept. 1.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Hewitson, Newcastle-upon-Tyne, optician, No. 69,509.

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C.; J. A. Brignal and J. Atkinson, assignees.—*W. L. Thomas*, Langham, Norfolk, gentleman, No. 71,378 C.; Griffith Thomas, assignee.—*Robt. W. Grainge*, Uxbridge, Middlesex, labourer, No. 60,666 T.; S. H. Cooper, assignee.—*Francis Kemp*, Leeds, Yorkshire, paper hanging manufacturer, No. 71,311 C.; H. Blundell, assignee.—*James Stock*, Burscough, near Ormskirk, Lancashire, farmer, No. 69,694 C.; Thomas Winrow and John Fairhurst, assignees.—*Wm. Barrett*, Charrington-st., Somers-town, Middlesex, carpenter, No. 60,595 T.; John Birch, assignee.—*George Laws*, Stradbroke, near Framlingham, Suffolk, farming labourer, No. 71,303 C.; Mary Girling, assignee.—*Joseph Jackson*, Brotherton, near Ferrybridge, Yorkshire, slater, No. 71,360 C.; Wm. Liversidge, assignee.—*John Jennings* the younger, Upper Marsh, near Halifax, Yorkshire, farmer, No. 71,279 C.; J. Richardson and Wm. Barber, assignees.—*Christopher Headen*, Salford, near Manchester, milkseller, No. 16,911 C.; S. Sturgis, new assignee, in the room of J. G. Frost and T. Brownbill, deceased.

Saturday, Sept. 1.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Saml. Saunders, Peckham-grove, Camberwell, Surrey, clerk to an attorney: in the Debtors Prison for London and Middlesex.—*Chas. Gill*, Devereux-court, Temple, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*W. Apsley*, New Oxford-street, Middlesex, staymaker: in the Queen's Prison.—*E. W. Dow*, Sylvan-grove, Old Kent-road, Surrey, out of employment: in the Queen's Prison.—*T. Manchester*, Green-row, Camberwell, Surrey, beer-shop keeper: in the Gaol of Horsemonger-lane.—*T. B. Macarthy*, Sandy-end, King's-road, Fulham, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*T. Warburton*, Salford, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Thos. Price*, Manchester, coach builder: in the Gaol of Lancaster.—*Robert Pearson*, Liverpool, provision dealer: in the Gaol of Lancaster.—*Joseph Middleton*, Hyde, Cheshire, ironmonger: in the Gaol of Chester.—*Geo. Culyer*, Aldborough, Suffolk, watchmaker: in the Gaol of Ipswich.—*John Hawgood*, Derby, general dealer: in the Gaol of Derby.—*Thomas Hunter*, Great Grimsby, Lincolnshire, coal merchant: in the Gaol of Lincoln.—*James Eastwood*, Elland, near Halifax, Yorkshire, wheelwright: in the Gaol of York.—*S. Shilton*, Birmingham, cabinet maker: in the Gaol of Coventry.—*Wm. Beddall*, Brierley-hill, Kingswinford, Staffordshire, miner: in the Gaol of Stafford.—*Francis Treweek*, Camelford, Cornwall, innkeeper: in the Gaol of Bodmin.—*Saml. Tills*, Acle, Norfolk, blacksmith: in the Gaol of Norwich.—*Wm. Gaunt*, Portobello, near Willenhall, Wolverhampton, Staffordshire, engine fitter: in the Gaol of Stafford.—*John Wm. Willer*, Datchet-bridge, New Windsor, Berkshire, licensed victualler: in the Gaol of Reading.—*T. H. Adcock*, Much Woolton, near Liverpool, schoolmaster: in the Gaol of Lancaster.—*James Polland*, Hulme, Lancashire, provision dealer: in the Gaol of Lancaster.—*Francis Handley*, Salford, Lancashire, baker: in the Gaol of Lancaster.—*Edward Mansell*, Hastings, Sussex, auctioneer: in the Gaol of Dover.—*John Fishwick*, Middlesbro'-on-Tees, Yorkshire, mason: in the Gaol of York.—*R. Sudlow*, Middlesbro'-on-Tees, Yorkshire, grocer: in the Gaol of York.—*Peter Eaton*, Nantwich, Cheshire, copying clerk: in the Gaol of Chester.—*John Garner*, Cambridge, auctioneer: in the Gaol of Cambridge.—*F. Jackson*, Stock-lane, near Oldham, Lancashire, out of business: in the Gaol of Lancaster.—*James Hartley*, Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Thomas Edwards*, Sidbury, Worcestershire, cabinet maker: in the Gaol of Worcester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 18 *at* 10, *before the* CHIEF COMMISSIONER.

Jonathan Wurr, Ship-yard, Speck-buildings, Heneage-st., Spitalfields, Middlesex, waterproof cover maker.—*Catherine Everard*, Kingsland-green, Kingsland, Middlesex, cheesemonger.—*Geo. Lockwood*, King Edward-terrace, Liverpool-road, Islington, Middlesex, commission agent.—*J. Barrett*, Club-chambers, Regent-street, Middlesex, out of business.—*Richard Smith Newell*, Bridgwater-st., Somers-town, out of business.

Sept. 18 *at* 10, *before Mr. Commissioner* HARRIS.

Robert S. Lacey, Praed-st., Paddington, Middlesex, lath render.—*John Marlow*, Regent-st., Lambeth, Surrey, baker.—*Edwin Wood*, Gloucester-st., Hoxton Old Town, Middlesex, commission agent.—*Neville Daniell*, Albert-terrace, Westbourne-grove, Middlesex, dentist.—*Hen. W. Oliphant*, Bedford-place, Russell-sq., Middlesex, in no business.

Sept. 19 *at* 10, *before Mr. Commissioner* LAW.

Joseph Shephard, Villa-st., Walworth-common, Surrey, dealer in old building materials.—*Joseph Levy*, Little St. Mary Axe, London, stationer.—*John M'Carty*, Alfred-street, Brompton, and Leicester-sq., Middlesex, commission agent.—*Isaac Alexander*, Wellesden-cottage, Shepherd's-bush, Middlesex, biscuit baker.—*Thos. Hitchcock*, Kenton and Kingsbury, near Harrow, Middlesex, licensed victualler.

Sept. 19 *at* 10, *before Mr. Commissioner* PHILLIPS.

Daniel J. Young, East-road, City-road, Middlesex, surgeon.—*Thos. Bodger*, Hatton-garden, Holborn, Middlesex, carpenter.—*Robert Simmonds*, Northolt, Hanwell, Middlesex, brick maker.—*Henry Farren*, Waterford-road, Walham-green, Fulham, Middlesex, comedian.—*J. Marshall*, Leyton, Essex, carpenter.

Sept. 20 *at* 10, *before the* CHIEF COMMISSIONER.

Robert Fraser, Wandsworth-road, Surrey, baker.—*Charles Collins*, Charles-st., Woolwich, Kent, scavenger to the Board of Ordnance, Woolwich.—*Thomas Wood*, Randall-street, Limehouse, Middlesex, waterman.

Sept. 20 *at* 10, *before Mr. Commissioner* HARRIS.

John Patching, Cornwall-road, Lambeth, Surrey, corn chandler.—*Caroline L. Barlow*, Great Ormond-st., Lamb's Conduit-st., Middlesex, teacher of music.

Sept. 20 *at* 10, *before Mr. Commissioner* LAW.

Nicolas F. Wibert, Vauxhall, Surrey, manager and director of Vauxhall-gardens.—*Jas. Sanders*, Tyers-terrace, Miller's-lane, Upper Kennington-lane, Lambeth, cheesemonger.

Sept. 20 *at* 10, *before Mr. Commissioner* PHILLIPS.

John Leaver, Oldham-place, Bagnigge-wells-road, Clerkenwell, Middlesex, bed sacking manufacturer.—*Thomas C. Angell*, Kennington-lane, Vauxhall, Surrey, liquid sugar refiner.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Shropshire, at SHREWSBURY, *Sept.* 18 *at* 10.

John Arden, Hill-end, Mainstone, farmer.

At the County Court of Oxfordshire, at OXFORD, *Sept.* 24.

James Leake, Witney, attorney at law.—*George Holding*, Northleigh, near Woodstock, sub-railway contractor.

At the County Court of Kent, at DOVER, *Sept.* 20 *at* 11.

Edw. Mansell, Hastings, auctioneer.—*James Stockbridge*, Fairlight, near Hastings, Sussex, brick maker.

At the County Court of Cambridgeshire, at CAMBRIDGE, *Sept.* 22 *at* 3.

Wm. Ives, Bourn-bridge, Pampisford, gatekeeper on the Newmarket Railway.

At the County Court of Staffordshire, at STAFFORD, *Sept.* 18 *at* 10.

William Beddall, Kingswinford, miner.

At the County Court of Somersetshire, at TAUNTON, *Sept.* 18.

George Pope, South Brent, near Weston-super-Mare, farmer.—*Wm. M. Kite*, Bath, in no way of business.

At the County Court of Berkshire, at READING, *Sept.* 20.

John W. Willer, Datchet-bridge, New Windsor, licensed victualler.

At the County Court of Lincolnshire, at LINCOLN, *Sept.* 17 *at* 10.

Frances Holmes, widow, Kirton, near Boston, farmer.—*James Holland*, Lincoln, dealer in manure.—*Thomas Hunter*, Great Grimsby, coal merchant.

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MEETINGS.

Thomas Everett, Beaconsfield, Buckinghamshire, cooper, Sept. 22 at 12, Darvill & Geary's, New Windsor, sp. aff.

FRIDAY, SEPTEMBER 7.

BANKRUPTS.

JOHN CHARLES RUSHBROOK, Exmouth-st., Clerkenwell, Middlesex, tailor, draper, dealer and chapman, (trading under the style or firm of Rushbrook & Son), Sept. 13 at half-past 11, and Oct. 19 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Scarman, Gresham-rooms, Basinghall-street.—Fiat dated Sept. 4.

SHADRACK CLARK, Pickford-mills, Wheathampstead, Hertfordshire, paper maker, Sept. 18 and Oct. 17 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Heather & Moger, 17, Paternoster-row. — Fiat dated Sept. 6.

GEORGE PARKER WATERHOUSE, Birmingham, coal merchant, dealer and chapman, Sept. 25 and Oct. 30 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Smith, Birmingham.—Fiat dated Aug. 31.

JOHN CHRISTOPHER REES WEGUELIN, Shaldon, St. Nicholas, Devonshire, out of business, heretofore of the same place, farmer, lodging-house keeper, dealer and chapman, (occasionally using the name of, and known as, John Christopher Rees), Sept. 18 and Oct. 10 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Laidman, Exeter; Clowes & Co., King's Bench-walk, Temple, London.—Fiat dated Sept. 4.

THOMAS KENNY, Liverpool, bookseller and stationer, dealer and chapman, Sept. 17 and Oct. 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Yates, jun., Liverpool; Holme & Co., New-inn, London.—Fiat dated Aug. 31.

MEETINGS.

Robert Belson, Norwich, plumber, Sept. 26 at 12, Court of Bankruptcy, London, last ex.—*George Morris*, West Cowes, Isle of Wight, Southampton, baker, Oct. 10 at 2, Court of Bankruptcy, London, last ex.—*Wm. Benjamin Gough*, Newport Pagnel, Buckinghamshire, grocer, Oct. 3 at 11, Court of Bankruptcy, London, last ex.—*Ebsworthy Tapson*, Cardiff, Glamorganshire, coal agent, Oct. 9 at 11, District Court of Bankruptcy, Bristol, last ex.—*Griffith Lewis*, Market-street, Oxford-street, Middlesex, plumber, Oct. 10 at 12, Court of Bankruptcy, London, aud. ac.—*Edward Burbidge*, Piccadilly, Middlesex, umbrella maker, Oct. 9 at 1, Court of Bankruptcy, London, aud. ac.—*Charles Brocklesby*, Charlotte-st., Fitzroy-square, Middlesex, tailor, Oct. 9 at 11, Court of Bankruptcy, London, aud. ac. — *George Nye*, Maidstone, Kent, cabinet maker, Oct. 9 at 12, Court of Bankruptcy, London, aud. ac.—*James Crocker*, Aldersgate-st., London, manager of an hotel, Oct. 9 at 11, Court of Bankruptcy, London, aud. ac.—*Jacob Jacobs*, Canterbury, Kent, auctioneer, Oct. 4 at 2, Court of Bankruptcy, London, aud. ac.—*George Henry Bore*, Stanway, Essex, surgeon, Oct. 3 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Towse*, Wokingham, Berkshire, colourman, Oct. 4 at 1, Court of Bankruptcy, London, aud. ac.—*John Hooker*, New Cross-road, Deptford, Kent, paperhanger, Oct. 3 at 2, Court of Bankruptcy, London, aud. ac.—*C. Cheel*, Paddington-green, Middlesex, victualler, Oct. 2 at 11, Court of Bankruptcy, London, aud. ac.—*Donald Grant*, Greenwich, Kent, manufacturer of the patent heating apparatus, Oct. 3 at 12, Court of Bankruptcy, London, aud. ac.—*James Matthews*, Gomershall, near Guildford, Surrey, tea dealer, Oct. 2 at 2, Court of Bankruptcy, London, aud. ac.—*Wm. Butt*, Winchester, Hampshire, bootmaker, Oct. 2 at 1, Court of Bankruptcy, London, aud. ac.—*Thos. Truby*, Bicester, Oxfordshire, hardwareman, Oct. 2 at 12, Court of Bankruptcy, London, aud. ac.—*Jas. Stokes*, Dover, Kent, saddler, Oct. 2 at 1, Court of Bankruptcy, London, aud. ac.—*Henry Girdlestone*, North Audley-st., Middlesex, apothecary, Oct. 2 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas Tindle*, South Shields, Durham, banker, Oct. 5 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 9 at 1, div.—*Thos. Fox*, *George Rippon*, *C. A. Weeks*, and *Wm. Hickman*, West Cornforth, and Tursilington, near West Cornforth, Durham, lime-burners, Oct. 2 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 4 at 12, div. sep. est. of *G. Rippon*.—*J. R. Baskett*, Newcastle-upon-Tyne, corn merchant, Oct. 2 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 4 at 11, fin. div.—*Joshua Sim*, Cockermouth, and *Joseph Sim* and *Daniel Sim*, Braithwaite, Cumberland, woollen manufacturers, Oct. 4 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 5 at half-past 10, first and fin. div. sep. est. of *D. Sim*.—*Chas. Jepson*, New Malton, Yorkshire, innkeeper, Oct. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Oct. 5 at 11, div.—*Wm. Nicholson*, Pontefract, Yorkshire, saddler, Oct. 5 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Sarah Greaves Eyre*, Leeds, Yorkshire, innkeeper, Oct. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Oct. 5 at 11, div.—*Thomas Cox* and *Thomas Whiles*, Hanley, Staffordshire, drapers, Oct. 9 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Oct. 11 at 12, div.—*B. H. Thorold*, Esq., Harmston, Lincolnshire, and Harlesden-green, Willesden, Middlesex, dealer and chapman, Sept. 28 at half-past 11, Court of Bankruptcy, London, div.—*George Rackham*, Little Yarmouth, Suffolk, wine merchant, Oct. 1 at 1, Court of Bankruptcy, London, div.—*Brailsford Bright*, Forest-gate, Essex, and Bishopsgate-street Within, London, merchant, Oct. 10 at 11, Court of Bankruptcy, London, div.—*Geo. Andrews*, King's Lynn, Norfolk, grocer, Oct. 4 at half-past 11, Court of Bankruptcy, London, div.—*Philip Vaughan*, Brecon, scrivener, Oct. 2 at 11, District Court of Bankruptcy, Bristol, div.—*W. Emmerson*, North Shields, Northumberland, banker, Oct. 2 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Wm. Angus*, Gateshead, Durham, banker, Oct. 2 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John Storey*, Monkwearmouth, Sunderland, Durham, rope manufacturer, Oct. 4 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*J. Hickson*, Greengates, Eccleshill, Bradford, Yorkshire, apothecary, Oct. 5 at 11, District Court of Bankruptcy, Leeds, div.—*Geo. Burton*, Bradford, Yorkshire, engraver, Oct. 5 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Stokes, Dover, Kent, saddler, Oct. 2 at 1, Court of Bankruptcy, London.—*Joseph Flemming*, Salters' Hall-court, Cannon-street, London, printer, Oct. 2 at 11, Court of Bankruptcy, London.—*Henry Girdlestone*, North Audley-street, Middlesex, apothecary, Oct. 2 at 12, Court of Bankruptcy, London.—*Thomas Radford*, Stanford-le-hope, Essex, apothecary, Oct. 3 at 2, Court of Bankruptcy, London.—*Joseph Hulls*, High Wycombe, Buckinghamshire, coppersmith and founder, Oct. 2 at half-past 12, Court of Bankruptcy, London.—*Filden Chrismas*, Isle of Harty, Kent, brewer, farmer, and land bailiff, Oct. 9 at 11, Court of Bankruptcy, London.—*Thomas Dennis*, Rochford, Essex, licensed victualler, Sept. 28 at 2, Court of Bankruptcy, London.—*Sir George Rich*, Knight, Fenchurch-st., London, corn dealer, Oct. 1 at 11, Court of Bankruptcy, London.—*John Hutchison*, River-terrace North, City-road, Islington, Middlesex, apothecary, Oct. 1 at half-past 12, Court of Bankruptcy, London.—*Henry J. Tyrer*, Newcastle-place, Clerkenwell-close, Middlesex, watchmaker, Oct. 1 at half-past 1, Court of Bankruptcy, London.—*John Philipson*, North Shields, Northumberland, printer, Oct. 4 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Sept. 28.

William Ridge, Grosvenor-row, Pimlico, Middlesex, corn dealer.—*John Teall*, Bampton, Oxfordshire, out of business.—*Stephen Keen*, Hillingdon, Middlesex, brick maker.—*Chas. Paddon*, Milner-place, Lower-marsh, Lambeth, and Charlotte-terrace, New-cut, Surrey, clothes salesman.—*Robert Stocker*, Bath, Somersetshire, licensed victualler.—*James Fraser*, Brighton, Sussex, draper.

SCOTCH SEQUESTRATIONS.

G. and *C. Davidson*, Edinburgh, woollen drapers.—*John M'Indoe & Co.*, Leith, merchants.—*John Cook*, Currie, contractor.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Bult, Taunton, St. Mary Magdalen, Somersetshire, out of business, Sept. 18 at 10, County Court of Somersetshire, at Taunton.—*Robert Whettem*, Landport, Portsea, Hampshire, baker, Sept. 26 at 11, County Court of Hampshire, at Portsmouth.—*Charles North*, Bedwellty, Monmouthshire, licensed victualler, Sept. 28 at 10, County Court of Monmouthshire, at Tredegar.—*George Henry Holmes*, Portsea, Southampton, pastrycook, Sept. 26 at 11, County Court of Hampshire, at Portsmouth.—*Thomas Mellison*, Portsea, Hampshire, baker, Sept. 26 at 11, County Court of Hampshire, at Portsmouth.—*William Adnams*, Gosport, Hampshire, pork butcher, Sept. 26 at 11, County Court of Hampshire, at Portsmouth.—*Thomas Jones*, Coventry, ribbon weaver, Sept. 26 at 2, County Court of Warwickshire, at Coventry.—*John Fletcher*, Cross Cheaping, Coventry, haberdasher, Sept. 26 at 2, County Court of Warwickshire, at Coventry.—*George Whiteley*, Huddersfield, Yorkshire, provision dealer, Sept. 27 at 10, County Court of Yorkshire, at Huddersfield.—*Finlay M'Innes*, Leamington Priors, Warwickshire, hairdresser, Sept. 24 at 10, County Court of Warwickshire, at Warwick.—*John Brown* the younger, Bedworth, Warwickshire, ribbon weaver, Sept. 28 at 11, County Court of Warwickshire, at Nuneaton.—*Thomas J. Heard*, Woodbridge, Suffolk, farmer, Sept. 20 at 1, County Court of Suffolk, at Woodbridge.—*Wm. Reeve*, Badwell Ash, Suffolk, labourer, Sept. 24 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Thomas K. Tubbs*, Northwold, Norfolk, chemist and druggist, Sept. 25 at 2, County Court of Norfolk, at Thetford.—*A. Emmott*, Bolton-bridge, Skipton, Yorkshire, cartwright, Sept. 28 at 10, County Court of Yorkshire, at Skipton.—*E. Leonard*, Tredegar Iron-works, Bedwellty, Monmouthshire, ginger-beer manufacturer, Sept. 28 at 10, County Court of Monmouthshire, at Tredegar.—*Robert Voyle*, St. Florence, Pembrokeshire, farmer, Sept. 24 at 9, County Court of Pembrokeshire, at Pembroke.—*J. Blenkhorn*, Strensall, York, labourer, Sept. 19 at 10, County Court of Yorkshire, at York.—*John Herron*, Heworth Moor, near York, mustard manufacturer, Sept. 19 at 10, County Court of Yorkshire, at York.—*Thomas Brenchley Baker*, Blue Town, Sheerness, Kent, grocer, Sept. 15 at 10, County Court of Kent, at Sheerness.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

***Sept.* 24 *at* 10, *before the* CHIEF COMMISSIONER.**

Charles Brackett, North-street, Spitalfields, fish salesman.—*Wm. Dunning Gay Perrott*, Edward-street, Dorset-square, Middlesex, out of business.—*Heinrich Wm. George Fischer*, Seymour-place, Camden-town, Middlesex, attorney's clerk.—*Horatio Clagett*, Great Yarmouth, Norfolk.—*Edw. Richards*, Union-place, New Kent-road, Surrey, out of business.

***Sept.* 24 *at* 10, *before Mr. Commissioner* HARRIS.**

George Skinner, Mount-row, Lambeth, Surrey, dyer.—*Thos. Percival Mucklow*, Belvidere-crescent, Belvidere-road, Lambeth, Surrey, chemist.—*Richard Prince*, Henry-street, Portland-town, Middlesex, baker.—*Geo. Farmer* the younger, Burton-street, Eaton-square, Pimlico, Middlesex, out of business.—*Saml. Saunders*, Peckham-grove, Camberwell, Surrey, clerk to an attorney.

County Court of Northumberland, at Morpeth. An Assignee has been appointed in the following Case:—

Jas. Smith, Belford, merchant tailor, No. 71,498; George Robertson Shield, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

***At the County Court of Cambridgeshire, at* CAMBRIDGE, *Sept.* 22 *at* 3.**

John Garner, Cambridge, out of business.

***At the County Court of Norfolk, at* NORWICH CASTLE, *Sept.* 25 *at* 10.**

Samuel Tills, Acle, blacksmith.—*John Roberts*, King's Lynn, saddler.

***At the County Court of Warwickshire, at* WARWICK, *Sept.* 24.**

Robert Upston, Rugby, bookkeeper.

***At the County Court of Warwickshire, at* COVENTRY, *Sept.* 26.**

James Turner, Coseley, Staffordshire, retailer of ale.—*John Pilsbury*, Birmingham, builder.—*Henry Hart*, Birmingham, gunmaker.—*William Welch* the younger, Birmingham, potato salesman.

***At the County Court of Oxfordshire, at* OXFORD, *Sept.* 24.**

Joseph Codgbrook Curtis, Oxford, carpenter.

INSOLVENT DEBTOR'S DIVIDEND.

Watson Yorke, Brigstock, near Thrapston, Northamptonshire, farmer, Sept. 17, at Summers's: 6¼*d.* in the pound.

MEETING.

William Carrell, Norfolk-square, Southsea, Portsea, Southampton, builder, Sept. 27 at 12, at Minchin's, Portsea, sp. aff.

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LONDON, SEPTEMBER 15, 1849.

We rejoice to see the subject of improvement in the mode of preparing acts of Parliament taken up by so powerful a pen as that of Lord Brougham. Possibly, now, some attention may actually and really be paid to it.

Many people wonder how it is that acts of Parliament are worded in language so obscure and so often contradictory, and many more solve the difficulty by throwing the whole blame upon the lawyers. "It is," they say, "the lawyers in and out of the House who contrive to have acts of Parliament made obscure, in order that the Profession may profit by the litigation generated by that very obscurity." The wonder should be, on the contrary, that acts of Parliament (seeing the process they go through) are ever intelligible at all; and the truth is, as to the share of the lawyers in the matter, that, whether they do or do not profit by the obscurity of acts of Parliament, they are so far from being the causes of it, that to them is due the little light which occasionally glimmers through an act.

The obscurity of acts of Parliament results principally from two causes: firstly, the structure of legislative language; secondly, the parliamentary practice of altering detached parts of a bill without reference to the rest, and not subjecting the whole bill afterwards to the general consideration of any skilful and responsible person.

The principle of the structure of legislative language will be perceived, by any one who will take the pains to examine a few acts, to be to adopt always the most inverted form of phrase that the subject will admit of, and to proceed always, if possible, by way of negation of the opposite of the affirmative enactment intended, instead of by the simple affirmative enactment. How this came to be the pet structure of legislative language we know not, but so it is, and the consequence is, of course, a style unnecessarily involved, and carrying in itself an unnecessary principle of obscurity. To illustrate our meaning, let us take the 34th clause of the Joint-stock Companies Winding-up Amendment Act, 1849—a rather favourable specimen of the lucidity of an act—which enacts, "that, where any appeal shall be brought or rehearing moved for under the said act or this act, it shall not be incumbent on the Court before which such appeal is brought or rehearing moved for to reverse the order or other proceeding complained of for want of form only, nor unless such Court be of opinion that the substantial merits of the case require such reversal."

Now, this is not unintelligible, but it would be of much more complete clearness if it stated positively, instead of negatively, what is meant. What *is* meant is, that defect of form shall not of itself vitiate an order; and that, on appeal, the Court may disregard any defect of form, and reverse or sustain the order, according to the substantial merits of the case.

Again, take the 6th clause, which is, in part, as follows:—"That, notwithstanding the provision in the said act contained for empowering the Court to allow, increase, or diminish from time to time the salary or remuneration of the official manager, it shall be lawful for the Master to exercise the said powers and discretions so given to the Court, and that whether as respects any official manager already appointed or hereafter to be appointed."

Now, it is impossible to say, and that merely by reason of the complex style of the Legislature, whether this means to give to the Master a power overri

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that of the Court, or only additional to that power. The act of 1848 gives powers to the *Court* to allow, increase, or diminish &c. the salary or remuneration of the official manager, and gives no such powers to the Master. The power now given to the Master is, "*notwithstanding* the provision in the said act," to exercise the powers given by it. This is an instance of the involved style, which, stating nothing positively, but something by reference to something else, opens, of course, the door to much doubt.

Now, is it not an extraordinary style of language to say, (referring to an act which gives certain powers to A. and none to B.), "*notwithstanding* the powers given to A., B. may exercise the same powers?" If it is meant to abrogate the powers given to A., is it not a most circuitous and infelicitous mode of doing so? If it is not, what is there in the exercise of the powers by B. inconsistent with or *notwithstanding* the provision giving the powers to A.? If the present act had said, "The Master may fix the salaries, subject to the approbation of the Court"—if that was meant, or independently of such approbation if that was meant, the thing would have been clear. As it is, the "for and notwithstanding" style has introduced perfectly uncalled-for obscurity.

Next, as to the second cause of obscurity: to this it is that Lord Brougham's remedy addresses itself. We say Lord Brougham's remedy, because his Lordship is now powerfully urging its adoption. But we need not say, that, for years, the necessity of having bills originally prepared and finally settled by a few persons of legal knowledge and skill, has been familiar to the Profession, and has been pointed out in this Journal, as well as, we believe, in many others. On this branch of the subject we shall not here say much. It is too evident, both on principle and from the result of observation, that such documents as acts of Parliament ought to be settled so that all their clauses should be in harmony with each other, and all as precisely expressed as possible, and as nearly as possible in a uniform style of language. That this result can be obtained under the present practice, of every one enforcing such alterations in the passage of the bill through Parliament as he desires and can enforce, not only by striking out and adding clauses, but by altering the wording of clauses, and then, without any final revision of the mutilated bill, of presenting it to Parliament to be passed, is out of all question.

A practicable remedy is that so often suggested, and now enforced by the eloquence of Lord Brougham; and if the country paid 5000*l.* a year for a competent revision of bills before they became acts, we verily believe, that, in two or three years, it would save, in the shape of preventing unnecessary law expense, the capital that would produce 5000*l.* a year.

CASES UPON THE JOINT-STOCK COMPANIES WINDING-UP ACT, 11 & 12 VICT. c. 45.

(*Continued from p.* 246*).

Jurisdiction of the Court of Chancery against Creditors of a Company.]—A very important question was raised on the construction of this act in the case of *The India and Australia Mail Steam-packet Company*, (13 Jur., part 1, p. 689). A winding-up order had been made against the company, previously to which proceedings had been taken by a creditor of the company in the Lord Mayor's Court, the result of which was, that by a certain day the creditor would be able to seize the funds of the company in the hands of their bankers. The directors thereupon filed a bill, and obtained an ex parte injunction restraining the creditor from proceeding. On a motion to dissolve this injunction, the Court was of opinion, that, by the 58th clause, it was precluded from interfering generally against the rights of creditors before the appointment of an official manager, and that there was nothing in the special circumstance of the proceedings being in the Lord Mayor's Court which entitled it to interfere. It would seem, from the language of the Vice-Chancellor, that his Honor meant to intimate, that, after the appointment of a manager, it would be different. The clause which affects the latter question is the 73rd, but by that clause it does not seem that the act intends to limit the effect of the 58th, beyond this, that a creditor shall not proceed in any action until he shall have proved his debt before the Master, as prescribed by the act; but, having once proved his debt, there seems nothing in the act to prevent him from commencing or proceeding in any action. And if we recollect that the act has been repeatedly held to be intended to regulate the liabilities as between contributories, not to determine anything as between the company, or shareholders, and third parties, it seems to follow that the Court should not interfere to prevent creditors pursuing such remedies as they might have pursued before the act, except in so far as the act itself prescribes or permits interference. Now, the 73rd section, only forbidding a creditor to proceed at law until he has proved his debt before the Master, by implication, intends him to be at liberty to use any of his remedies after he shall have proved before the Master. Moreover, the 73rd section points out a specific remedy against the creditor, by giving power to the judge of the court where the action is commenced, not to the Court of Chancery, to stay proceedings; and though, unquestionably, such a special remedy does not oust the general jurisdiction of Chancery, yet it may be anticipated that the Court of Chancery would not stay an action by injunction, under the 73rd section of the Winding-up Act, unless it appeared that the court of law either would not or could not interfere, so as to do complete justice. The latter part of the 16th section of the Winding-up Amendment Act, 1849, seems intended to have some bearing on this question; but it is so obscurely worded, that we confess ourselves unable to understand what it does mean.

Practice.]—Where a party was put on the list of contributories, and duly received notice to attend on settling the list, but did not, and allowed the time for appealing, under the 78th section, to pass, although he was not allowed strictly to appeal, he was permitted to read evidence to explain why he had not attended; and such evidence being satisfactory, he was allowed to go in before the Master to dispute his liability to be on the list. (*Ex parte Ashburner, re The Liverpool and Manchester Saw-mills and Timber Company*, 13 Jur. part 1, p. 691; *Ex parte Holt, re the same Company*).

Power of Master to order Delivery of Papers to the Official Manager.]—In *The Oxford and Worcester Extension and Chester Junction Railway, &c. Company* (13 Jur., part 1, p. 691), it was contended, that the power of the Master extends, under the 28th and 66th sections, to ordering the solicitor of a company to deliver up papers in his hands to the official manager although he claims a lien upon them for a bill of costs not disputed; but the Court held, that there was nothing in the act to deprive the solicitors of their lien.

* The Editor, in inserting this and the two preceding papers on this subject, does not, of course, profess to give more to the readers of THE JURIST than a classification of the cases, and a short statement of their results. But this, he believes, will be found convenient to those whose practice leads them into the Master's office under the Winding-up Act.

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As to Trustees being Contributories.]—A widow was entitled, as residuary legatee of a will of which she was executrix, to shares in a banking company. She received the dividends for several years by her agent, Hall. She re-married, but previously dealt with her shares as in her own right, by assigning them to Hall, as a trustee for her on the trusts of her marriage settlement. Notice of the trust-deed was given to the bank. The bank never returned Hall as registered owner to the Stamp-office; and Hall continued to receive the dividends, as agent for the widow, by the widow's name; and, in fact, did not comply with the requirements of the company's deed. The question was, whether Hall was a contributory; and it was held, that he was, but liable only from the date of the assignment to him. (*Ex parte Hall, re The North of England Joint-stock Banking Company*, 13 Jur., part 1, p. 691).

What Companies are within the Statute.]—Where a company had been dissolved, and its business transferred to another company, but there remained a sum of money in the hands of trustees for the benefit of the members of the dissolved company, it was held clearly within the act. (*In re The London and Westminstre Mutual Life Assurance Company*, 13 Jur., part 1, p. 721).

Generally what constitutes Parties Contributories.]—The case of *Ex parte Davidson, re The Marylebone Joint-stock Banking Company*, (13 Jur., part 1, p. 722), decides, that, if the managers of a company use the name of a party as that of a shareholder for the proved or implied purpose of holding out his accession as an inducement to the public to join the company, and he permits his name so to be used, under an indemnity from the managers of the company, but without the knowledge of the general shareholders, he is liable as a contributory, although he has never acted as a shareholder, either by paying calls, or receiving dividends, or otherwise. The ground of the decision is the participation in, or active sanction of, the intention to deceive; and it appears from the judgment, that, in such a case, it is not necessary to shew that any persons have been actually deceived; the intention to deceive, and the fact proved or assumed that persons became shareholders after the transaction, being sufficient.

On this subject it is material to observe, that a person may be a *contributory* under the Winding-up Act, although he may be, as between himself and certain members of the company, or as between himself and creditors of the company suing him separately, entitled to say he is not liable. This distinction is alluded to by Knight Bruce, V. C., in *Ex parte Parbury, re The Direct London and Exeter Railway Company*, (13 Jur., part 1, 725), and would seem proper to be kept in view in reference to the case of *Ex parte Sharpus, re The Universal Salvage Company*, (13 Jur., part 1, 723). In the case last mentioned, Mr. Sharpus applied for and had allotted to him shares in the company, on which he paid the deposit, and received the scrip certificates, but he did nothing more. The certificates referred to certain conditions, some of the most material of which, particularly the conditions that a certain number of shares should be allotted, and a certain capital should be subscribed, were not fulfilled. The question was, whether Sharpus was a contributor or not. The Master referred to the cases of *Walstab* v. *Spottiswoode* (15 Mee. & W. 501) and *Wontner* v. *Shairp* (11 Jur., part 1, 373), and earlier cases, as shewing, that, as against creditors, or as between subscribers, a party, situated as Sharpus was, might have said that the company, in respect of which he was sued, was not the company which he agreed to join and become a member of; but, on appeal, Knight Bruce, V. C., reversed the decision. His Honor did not, in that case, give his reasons; at least, none are reported. But in the other case mentioned, (*Ex parte Parbury*), which contained much the same elements, viz. an allotment of shares upon conditions which were never fulfilled, his Honor held the allottee a contributory, carefully avoiding to decide whether he had or had not been deceived by certain members of the company, or whether he had not a remedy against those who deceived him. The result of these cases, and of the case of *Ex parte Morgan*, referred to in the judgment in *Ex parte Parbury*, is, we apprehend, that, in determining whether a party is a contributory, the Court inquires whether a contract exists between the alleged contributory and other persons, under which he may be co-liable with *any* of such persons; and, if it finds that there is such a contract, holds him a contributory, although there may be an equity between him individually and some of the parties to the contract, and, perhaps, (though this is not so clearly involved in the decision), between him and the public, entitling him to say, that, as between him and such persons, the contract cannot be enforced.

Where, by the deed of settlement of a company, no power is reserved to the company to buy the shares of shareholders, such a sale to the company is invalid; and as a consequence, if a shareholder transfers his shares to another person, with notice that that person only purchased for the company, (the company having no power so to purchase), and then dies, the executors of the deceased shareholder, and not the nominal purchaser, will be placed on the list of contributories. (*Ex parte Morgan, re The Vale of Neath Brewery*, 1 Hall & T. 320, and *Ex parte Richmond's Executors, re The Vale of Neath Brewery*, 13 Jur., part 1, p. 727).

Where a person agreed to purchase the shares of another in a company, and paid for them, and the vendors gave the proper notice to the company, who assented to the transfer, and made out new certificates in the name of the purchaser, but no legal transfer was ever executed, and the purchaser never did anything beyond the contract and payment, he was held, nevertheless, a contributory, but liable only from the day of his contract. (*Ex parte Sanderson, re The North of England Joint-stock Banking Company*, 13 Jur., part 1, p. 740).

PUBLIC GENERAL STATUTES.

12 & 13 Victoriæ.—Session 2.

(*Continued from p.* 335).

CAP. XXVI.

An Act for granting Relief against Defects in Leases made under Powers of Leasing, in certain Cases.

[26th June, 1849.]

Sect. 1. *Interpretation of Terms.*
2. *Leases invalid, owing to Deviation from Terms of the Power, to be deemed Contracts in Equity for such Leases as might have been granted under the Power. Proviso where the Grantor or Reversioner is willing to confirm.*
3. *Acceptance of Rent to be deemed a Confirmation.*
4. *Leases invalid at the granting thereof may become valid, if the Grantor continue in the Ownership until the Time when he might lawfully grant such a Lease.*
5. *What shall be deemed an intended Exercise of a Power.*
6. *Saving the Rights of the Lessees under Covenants for Title and for quiet Enjoyment, and the Lessor's Right of Re-entry for Breach of Covenant, &c.*
7. *Act not to extend to certain Leases. Pending Suits not to be prejudiced.*
8. *Act not to extend to Scotland.*
9. *Act may be amended &c.*

Whereas, through mistake or inadvertence on the part of persons granting leases, and through ignorance on the part of lessees of the titles of persons from whom leases are accepted, leases granted by persons having valid powers of leasing are

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frequently invalid, as against the successors in estate of such persons, by reason of the non-observance or omission of some condition or restriction, or by reason of some other deviation from the terms of such powers: and whereas leases granted in the intended exercise of such powers are sometimes invalid, as against the successors in estate of the persons granting the same, by reason that, at the time of granting the same, the person granting the lease could not lawfully grant such lease, although at a subsequent time, and during the continuance of his estate in the hereditaments comprised in such lease, he might have granted the same in the lawful exercise of such power: and whereas it is expedient that provision should be made for granting relief in the cases aforesaid, in manner after mentioned: be it enacted, &c., that, in construing this act, words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number, and words importing males shall extend to females, and the word "person" shall include corporations aggregate or sole, unless, in any of the cases aforesaid, there be something in the context repugnant to such construction.

2. That where, in the intended exercise of any such power of leasing as aforesaid, whether derived under an act of Parliament or under any instrument lawfully creating such power, a lease has been or shall hereafter be granted, which is, by reason of the non-observance or omission of some condition or restriction, or by reason of any other deviation from the terms of such power, invalid as against the person entitled, after the determination of the interest of the person granting such lease, to the reversion, or against other the person who, subject to any lease lawfully granted under such power, would have been entitled to the hereditaments comprised in such lease, in case the same have been made bonâ fide, and the lessee named therein, his heirs, executors, administrators, or assigns, (as the case may require), have entered thereunder, shall be considered in equity as a contract for a grant, at the request of the lessee, his heirs, executors, administrators, or assigns, (as the case may require), of a valid lease under such power, to the like purport and effect as such invalid lease as aforesaid, save so far as any variation may be necessary in order to comply with the terms of such power; and all persons who would have been bound by a lease lawfully granted under such power shall be bound in equity by such contract: provided always, that no lessee under any such invalid lease as aforesaid, his heirs, executors, administrators, or assigns, shall be entitled, by virtue of any such equitable contract as aforesaid, to obtain any variation of such lease, where the persons who would have been bound by such contract are willing to confirm such lease without variation.

3. That the acceptance of rent under any such invalid lease as aforesaid shall, as against the person so accepting the same, be deemed a confirmation of such lease.

4. That where a lease, granted in the intended exercise of any such power of leasing as aforesaid, is invalid by reason, that, at the time of the granting thereof, the person granting the same could not lawfully grant such lease, but the estate of such person in the hereditaments comprised in such lease shall have continued after the time when such or the like lease might have been granted by him in the lawful exercise of such power, then and in every such case such lease shall take effect, and be as valid as if the same had been granted at such last-mentioned time, and all the provisions herein contained shall apply to every such lease.

5. That when a valid power of leasing is vested in or may be exercised by a person granting a lease, and such lease (by reason of the determination of the estate or interest of such person or otherwise) cannot have effect and continuance according to the terms thereof, independently of such power, such lease shall, for the purposes of this act, be deemed to be granted in the intended exercise of such power, although such power be not referred to in such lease.

6. Provided always, and be it enacted, that nothing in this act contained shall extend or be construed to prejudice or take away any right of action or other right or remedy to which, but for the passing of this act, the lessee named in any such lease as aforesaid, his heirs, executors, administrators, or assigns, would or might have been entitled, under or by virtue of any covenant for title or quiet enjoyment contained in such lease on the part of the person granting the same, or to prejudice or take away any right of re-entry or other right or remedy to which, but for the passing of this act, the person granting such lease, his heirs, executors, administrators, or assigns, or other the person for the time being entitled to the reversion expectant on the determination of such lease, would or might have been entitled, for or by reason of any breach of the covenants, conditions, or provisoes contained in such lease, and on the part of the lessee, his heirs, executors, administrators, or assigns, to be observed and performed.

7. That this act shall not extend to any lease by an ecclesiastical corporation or spiritual person, or to any lease of the possessions of any college, hospital, or charitable foundation, or to any lease where, before the passing of this act, the hereditaments comprised in such lease have been surrendered or relinquished, or recovered adversely by reason of the invalidity thereof, or there has been any judgment or decree in any action or suit concerning the validity of such lease, and shall not prejudice or affect any action or suit already commenced and now pending in any court of law or equity, but every such action and suit may be proceeded with, and such relief had therein, as if this act had not passed.

8. That this act shall not extend to Scotland.

9. That this act may be amended or repealed by any act to be passed in this session of Parliament.

CAP. XXVII.

An Act to remove Doubts concerning the Transportation of Offenders under Judgment of Death to whom Mercy may be extended in Ireland. [26th June, 1849.]

CAP. XXVIII.

An Act to enable the Commissioners of Greenwich Hospital to regulate and manage the Markets held at Greenwich, in the County of Kent. [26th June, 1849.]

CAP. XXIX.

An Act to amend the Laws in force for the Encouragement of British Shipping and Navigation. [26th June, 1849.]

Sect. 1. Certain acts repealed from and after the 1st January, 1850:—8 & 9 Vict. c. 88; 8 & 9 Vict. c. 89, ss. 3, 5, 7, 9; 8 & 9 Vict. c. 93, ss. 2, 4, 44; 8 & 9 Vict. c. 86, s. 63; 7 & 8 Vict. c. 112, s. 37; 37 Geo. 3, c. 117; 4 Geo. 4, c. 80, s. 20; 4 Geo. 4, c. 77; 5 Geo. 4, c. 1; 8 & 9 Vict. c. 90, s. 8; 5 & 6 Vict. c. 14, s. 8.

Coasting Trade.

2. Coasting trade of the United Kingdom and Isle of Man.
3. Trade with the Channel Islands.
4. Coasting trade of the British possessions.
5. Queen in Council may regulate coasting trade of colonies on their address.
6. Coasting trade of India to be regulated by Governor-General in Council.

British Ships.

7. No ship British unless registered and navigated as such.
8. What persons to be British seamen.
9. Proportion of seamen may be altered by proclamation.

Reciprocity.

10. Queen may restrict the privileges of foreign ships in certain cases;
11. And may impose additional duties.
12. Order in Council to specify ships to which it applies.
13. Orders may be revoked.
14. Orders to be published in Gazette, and to be laid before Parliament.
15. Penalties.
16. Penalties, how to be recovered. 8 & 9 Vict. c. 87.

Registry.

17. Who may be owners of British vessels.
18. Form of certificate of registry.
19. Form of declaration.
20. Proviso for vessels under fifteen tons burthen in inland navigation, and for vessels under thirty tons burthen for the Newfoundland fishery.
21. Act to take effect on the 1st January, 1850.
22. Act may be amended &c.

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CAP. XXX.

An Act for the better Preservation of Sheep, and more speedy Detection of Receivers of stolen Sheep in Ireland. [26th June, 1849.]

CAP. XXXI.

An Act for requiring the Transmission of the annual Abstracts and Statements of Trustees of Turnpike-roads and Bridges in Scotland to the Secretary of State to be laid before Parliament. [26th June, 1849.]

CAP. XXXII.

An Act to continue, to the End of the Year 1851, certain temporary Provisions relating to the Collection of Grand Jury Cess in Ireland. [26th June, 1849.]

CAP. XXXIII.

An Act for regulating the Carriage of Passengers in Merchant Vessels. [13th July, 1849.]

CAP. XXXIV.

An Act to amend an Act regulating the Justice of the Peace Small Debt Courts in Scotland. [13th July, 1849.]

CAP. XXXV.

An Act for requiring annual Returns of the Expenditure on Highways in England and Wales, to be transmitted to the Secretary of State, and afterwards laid before Parliament. [13th July, 1849.]

CAP. XXXVI.

An Act to make Provision, during the present Year, and to the End of the Year 1851, relating to the Collection of County Cess in Ireland, and to the Remuneration of the Collectors thereof. [13th July, 1849.]

CAP. XXXVII.

An Act to continue to the 1st Day of October, 1850, and to the End of the then next Session of Parliament, an Act to amend the Laws relating to Loan Societies. [13th July, 1849.]

Whereas an act was passed in the 3 & 4 Vict. [c. 110], intituled "An Act to amend the Laws relating to Loan Societies," which act has been continued by sundry acts until the 1st October, 1849, and to the end of the then next session of Parliament, and it is expedient that the same should be further continued: be it enacted, &c., that the said act shall be further continued to the 1st October, 1850, and to the end of the then next session of Parliament.

CAP. XXXVIII.

An Act to continue for Five Years an Act of the Second and Third Years of her present Majesty, for the better Prevention and Punishment of Assaults in Ireland. [13th July, 1849.]

CAP. XXXIX.

An Act for further continuing, until the 1st Day of August, 1850, and to the End of the then next Session of Parliament, certain temporary Provisions concerning Ecclesiastical Jurisdiction in England. [13th July, 1849.]

CAP. XL.

An Act to continue, until the 31st Day of July, 1850, and to the End of the then next Session of Parliament, certain of the Allowances of the Duty of Excise on Soap used in Manufactures. [13th July, 1849.]

CAP. XLI.

An Act to extend an Act of the Fifty-sixth Year of King George III, for providing for a new Silver Coinage, and for regulating the Currency of the Gold and Silver Coin of this Realm. [13th July, 1849.]

CAP. XLII.

An Act to provide for the Execution for One Year of the Office of Sheriff in the County of Westmoreland. [13th July, 1849.]

CAP. XLIII.

An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in the Service. [28th July, 1849.]

CAP. XLIV.

An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year 1849. [28th July, 1849.]

CAP. XLV.

An Act to amend the Procedure in Courts of General and Quarter Sessions of the Peace in England and Wales, and for the better Advancement of Justice in Cases within the Jurisdiction of those Courts. [28th July, 1849.]

Sect. 1. *Uniformity of Time for Notice of Appeal. Notice of Appeal to be in Writing, and signed. Grounds of Appeal to be stated.*
2. *Act not to affect Notices of Appeal against Orders of Removal, Orders of Bastardy, &c.*
3. *Defects in Statement of Grounds of Appeal. Amendment of Grounds of Appeal.*
4. *Frivolous Grounds of Appeal.*
5. *Sessions to have a general Power to give Costs in all Cases of Appeal.*
6. *Frivolous Appeals.*
7. *Amendment of Orders or Judgments of Justices on Appeal or Return to Certiorari. Rule for Certiorari to state Objections.*
8. *Amendment of Recognisances.*
9. *Decisions of Sessions, when final.*
10. *Amendment of Indictment.*
11. *Power to state a special Case without going to the Sessions previously.*
12. *References to Arbitration.*
13. *References by Order of Court of Sessions.*
14. *Where Reference abortive, Queen's Bench may order Sessions to hear the Appeal.*
15. *3 & 4 Will. 4, c. 42, to be applicable to References under this Act. Arbitrators to have Power of Amendment.*
16. *Recognisances for Prosecution and Trial of Appeal.*
17. *Levying and Recovery of Fines, Issues, and Amerciaments.*
18. *Enforcing Orders of Sessions.*
19. *Not to extend to Scotland or Ireland.*
20. *Commencement of Act.*
21. *Act may be amended, &c.*

Whereas, in cases of appeal to courts of general or quarter sessions of the peace, it is expedient that the law should be more uniform: be it therefore enacted, &c., that in every case of appeal (except as hereinafter mentioned) to any court of general or quarter sessions of the peace fourteen clear days' notice of appeal at least shall be given, and such shall be sufficient notice, any act or acts, or any rule or practice of any court or courts, to the contrary notwithstanding; and such notice of appeal shall be in writing, signed by the person or persons giving the same, or by his, her, or their attorney on his, her, or their behalf, and the grounds of appeal shall be specified in every such notice: provided always, that it shall not be lawful for the appellant or appellants, on the trial of any such appeal, to go into or give evidence of any other ground of appeal besides those set forth in such notice.

2. That none of the provisions hereinbefore contained relating to notices of appeal shall be construed to affect or alter the law as to notice of appeal against a summary conviction, or against an order of removal, or against an order under any statute relating to pauper lunatics, or against an order in bastardy, or against any proceeding under or by virtue of any of the statutes relating to her Majesty's revenue of excise or customs, stamps, taxes, or post-office, but the law with regard to notices of all such appeals shall be deemed and taken to be the same as if the provisions hereinbefore contained had not been enacted.

3. And whereas a statement of the grounds of appeal, when required by this or any other statute, is for the purpose of enabling the party receiving it to inquire into the subject of

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such statement, and, if need be, to prepare for trial: be it therefore enacted, that upon the hearing of any appeal to any court of general or quarter sessions of the peace no objection on account of any defect in the form of setting forth any ground of appeal shall be allowed, and no objection to the reception of legal evidence offered in support of any ground of appeal shall prevail, unless the court shall be of opinion that such ground of appeal is so imperfectly or incorrectly set forth as to be insufficient to enable the party receiving the same to inquire into the subject of such statement, and to prepare for trial: provided always, that in all cases where the court shall be of opinion that any objection to any ground of appeal, or to the reception of evidence in support thereof, ought to prevail, it shall be lawful for such court, if it shall so think fit, to cause any such ground of appeal to be forthwith amended by some officer of the court, or otherwise, on such terms as to payment of costs to the other party, or postponing the trial to another day in the same sessions or to the next subsequent sessions, or both payment of costs and postponement, as to such court shall appear just and reasonable.

4. That if in any notice of appeal the appellant or appellants shall have included any ground or grounds of appeal which shall in the opinion of the court determining the appeal be frivolous or vexatious, such appellant or appellants shall be liable, if the court shall so think fit, to pay the whole or any part of the costs incurred by the respondent or respondents in disputing any such ground or grounds of appeal, such costs to be recoverable in the manner hereinafter directed as to the other costs incurred by reason of such appeal.

5. That, upon any appeal to any court of general or quarter sessions of the peace, the court before whom the same shall be brought may, if it think fit, order and direct the party or parties against whom the same shall be decided to pay to the other party or parties such costs and charges as may to such court appear just and reasonable, such costs to be recoverable in the manner provided for the recovery of costs upon an appeal against an order or conviction by an act passed in the 11 & 12 Vict. [c. 43], intituled "An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to summary Convictions and Orders."

6. And for the more effectual prevention of frivolous appeals, be it enacted, that any court of general or quarter sessions of the peace, upon proof of notice of any appeal to the same court having been given to the party or parties entitled to receive the same, though such appeal was not afterwards prosecuted or entered, may, if it so think fit, at the same sessions for which such notice was given, order to the party or parties receiving the same such costs and charges as by the said court shall be thought reasonable and just to be paid by the party or parties giving such notice, such costs to be recoverable in the manner last aforesaid.

7. And whereas in many cases, where justices of the peace are by law empowered to make orders or to give judgments great expense and frequent failures of justice have been occasioned by reason that such orders or judgments have, on appeal to the general or quarter sessions of the peace, or on removal by certiorari into the Court of Queen's Bench, been quashed or set aside upon exceptions or objections to the form of the order or judgment, irrespective of the truth and merits of the matters in question: for remedy thereof be it enacted, that if, upon the trial of any appeal to any court of general or quarter sessions of the peace against any order or judgment made or given by any justice or justices of the peace, or if, upon the return to any writ of certiorari, any objection shall be made on account of any omission or mistake in the drawing up of such order or judgment, and it shall be shewn, to the satisfaction of the court, that sufficient grounds were in proof before the justice or justices making such order or giving such judgment to have authorised the drawing up thereof, free from the said omission or mistake, it shall be lawful for the court, upon such terms, as to payment of costs, as it shall think fit, to amend such order or judgment, and to adjudicate thereupon, as if no such omission or mistake had existed: provided always, that no objection on account of any omission or mistake in any such order or judgment brought up upon a return to a writ of certiorari shall be allowed, unless such omission or mistake shall have been specified in the rule for issuing such certiorari.

8. And whereas the statutes giving a right of appeal against orders or summary convictions frequently require a recognisance or recognisances to be entered into as a condition of such appeal, and appellants are liable to be prevented from trying their appeals upon the merits in consequence of imperfections in the taking of such recognisances: be it enacted, that where any recognisance or recognisances which shall have been entered into within the time by law required, before any justice or justices, for the purpose of complying with any such condition of appeal, shall appear to the court before which such appeal is brought to have been insufficiently entered into, or to be otherwise defective or invalid, it shall be lawful for such court, if it shall so think fit, to permit the substitution of a new and sufficient recognisance, or new and sufficient recognisances, to be entered into before such court, in the place of such insufficient, defective, or invalid recognisance or recognisances, and for that purpose to allow such time, and make such examination, and impose such terms, as to payment of costs, to the respondent or respondents, as to such court shall appear just and reasonable; and such substituted recognisance or recognisances shall be as valid and effectual, to all intents and purposes, as if the same had been duly entered into at any earlier time or times, as required by any statute or statutes for that purpose.

9. That the decisions of the court of general or quarter sessions of the peace upon the hearing of any appeal, as to the sufficiency of the statement of any ground or grounds of appeal, and as to the amending or refusing to amend any order or judgment of a justice or justices appealed against, or the statement of any ground or grounds of appeal, and as to the substitution of any new recognisance or recognisances as aforesaid, shall be final, and shall not be liable to be reviewed in any court, by means of a writ of certiorari or mandamus, or otherwise.

10. That every court of general or quarter sessions of the peace, on the trial of any offence within its jurisdiction, whenever any variance or variances shall appear between any matter in writing or in print produced in evidence and the recital or setting forth thereof in the indictment, shall have the same power in all respects to cause the indictment to be amended which is given to courts of oyer and terminer and general gaol delivery with regard to offences tried before such last-mentioned courts by virtue of an act of the 11 & 12 Vict. [c. 46], intituled "An Act for the Removal of Defects in the Administration of Criminal Justice;" and after such amendment the trial shall proceed in the same manner in all respects, both with regard to the liability of witnesses to be indicted for perjury and otherwise, as if no such variance or variances had appeared.

11. That at any time after notice given of appeal to any court of general or quarter sessions of the peace against any judgment, order, rate, or other matter, (except an order in bastardy, or a proceeding under or by virtue of any of the statutes relating to her Majesty's revenue of excise or customs, stamps, taxes, or post-office), for which the remedy is by such appeal, it shall be lawful for the parties, by consent, and by order of any judge of one of the superior courts of common law at Westminster, to state the facts of the case in the form of a special case for the opinion of such superior court, and to agree that a judgment in conformity with the decision of such court, and for such costs as such court shall adjudge, may be entered on motion by either party at the sessions next or next but one after such decision shall have been given; and such judgment shall and may be entered accordingly, and shall be of the same effect in all respects as if the same had been given by the court of general or quarter sessions upon an appeal duly entered and continued.

12. And whereas by a statute passed in the 9 & 10 Will. 3, [c. 15], intituled "An Act for determining Differences by Arbitration," provision was made for rendering more effectual the awards of arbitrators in the case of controversies and disputes for which there is no other remedy but by personal action or by suit in equity: and whereas it is expedient in like manner to facilitate and render more effectual references to arbitration of controversies and disputes for which the remedy is by appeal to a court of general or quarter sessions of the peace: be it enacted, that at any time after notice given of appeal to any court of general or quarter sessions of the peace against any order, rate, or other matter, (except a summary convic-

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tion, or an order in bastardy, or any proceeding under or by virtue of any of the statutes relating to her Majesty's revenue of excise or customs, stamps, taxes, or post-office), for which the remedy is by such appeal, it shall be lawful for the parties, by themselves or their attornies, and by order of a judge of her Majesty's Court of Queen's Bench, to submit the matter or matters of such appeal to the award or umpirage of any person or persons, and to agree that such submission should be made a rule of the said Court of Queen's Bench, and to insert such agreement in their submission or the condition of the bond or promise whereby they oblige themselves respectively to submit to the award or umpirage of such person or persons; and thereupon such and the like proceedings in all respects shall and may be taken with regard to submissions under this act, and to enforcing awards or umpirages thereupon, and to setting aside the same, as are authorised by the said act of King William III with regard to the cases therein provided for; and every award or umpirage duly made under this act shall be as binding and effectual to all intents as if the same had been a regular judgment of the said court of general or quarter sessions, and shall and may, on the application of either party, be inrolled among the records of the said court of sessions.

13. That it shall be lawful for any court of general or quarter sessions of the peace before which any appeal (except against a summary conviction, or an order in bastardy, or any proceeding under or by virtue of any of the statutes relating to her Majesty's revenue of excise or customs, stamps, taxes, or post-office) shall be brought, to order, with consent of the parties or their attornies, that the matter or matters of such appeal be referred to arbitration to such person or persons and in such manner and on such terms as the said court shall think reasonable and proper; and such order may be made a rule of the Court of Queen's Bench, on the application of either party; and the award of the arbitrator or arbitrators, or umpirage of the umpire, may, on motion by either party at the sessions next or next but one after such award or umpirage shall have been finally made and published, or after the decision of the Court of Queen's Bench on any motion for setting aside the same, be entered as the judgment of the court of general or quarter sessions in the appeal, and shall be as binding and effectual to all intents as if given by the said court: provided always, that the Court of Queen's Bench may, if it think fit, on application within the term next after the making and publication of such award or umpirage, either refer the case back again to the same arbitrator, arbitrators, or umpire, or wholly set aside the award or umpirage already made, and may in the latter event order the court of general or quarter sessions to enter continuances and hear the appeal.

14. That if, upon any reference to arbitration under this act, it shall be made to appear to the Court of Queen's Bench that, either from the death of the arbitrator or arbitrators or umpire, or from any other cause, it has become impossible that an award or umpirage can be made, it shall be lawful for the said court to order the court of general or quarter sessions of the peace to enter continuances and hear the appeal.

15. That the several provisions relating to arbitrations contained in an act of the 3 & 4 Will. 4, [c. 42], intituled "An Act for the further Amendment of the Law and the better Advancement of Justice," shall be deemed and taken to be applicable to arbitrations under this act; and in every such arbitration the arbitrator or arbitrators or umpire shall have the same powers of amendment which the court of general or quarter sessions of the peace would have had on the trial of the appeal.

16. That no recognisance entered into pursuant to any statute or statutes for the prosecution and trial of any appeal shall be deemed to be forfeited by such agreement as aforesaid for the statement of a special case without previously going to the court of general or quarter sessions, or by any submission to arbitration under the provisions of this act.

17. And whereas by an act passed in the 3 Geo. 4, [c. 46], intituled "An Act for the more speedy Return and levying of Fines, Penalties, and Forfeitures and Recognisances estreated," provision is made for authorising the levying and recovery of fines, issues, amerciaments, and forfeited recognisances set, imposed, lost, or forfeited by or before any justice or justices of the peace in England: and whereas it is expedient that the subsequent proceedings in such cases should be uniform: be it enacted, that the proceedings subsequent to such authority given for so levying and recovering as aforesaid shall and may be the same in all respects, in the case of such fines, issues, and amerciaments, as are by the said act provided, permitted, and required in the case of such forfeited recognisances.

18. That in all cases where any order shall be made by any court of general or quarter sessions of the peace it shall be lawful for the Court of Queen's Bench, or for any judge of that court at Chambers, either in term or vacation, upon the application of any person entitled to enforce such order, and upon the production of a copy of such order under the hand of the clerk of the peace or his deputy, and upon proof of refusal or neglect to obey such order, to order and direct such order of the court of general or quarter sessions to be removed into the said Court of Queen's Bench, and thereupon such order shall be of the same force and effect, and may be enforced in the same manner, as a rule made by the said Court of Queen's Bench; and all the reasonable costs and charges attendant upon such application and removal shall be recoverable in like manner as if the same were part of such order.

19. That nothing in this act contained shall extend to Scotland or Ireland.

20. That this act shall come into operation on the 1st day of November, 1849.

21. That this act may be amended or repealed by any act to be passed in this present session of Parliament.

CAP. XLVI.

An Act to facilitate the Union of Turnpike Trusts. [28th July, 1849.]

CAP. XLVII.

An Act to continue certain Acts for regulating Turnpike-roads in Ireland. [28th July, 1849.]

CAP. XLVIII.

An Act to provide for the Administration of Justice in Vancouver's Island. [28th July, 1849.]

CAP. XLIX.

An Act to extend and explain the Provisions of the Acts for the granting of Sites for Schools. [28th July, 1849.]

CAP. L.

An Act for further amending the Laws relating to Sewers. [28th July, 1849.]

CAP. LI.

An Act for the better Protection of the Property of Pupils, absent Persons, and Persons under Mental Incapacity in Scotland. [28th July, 1849.]

CAP. LII.

An Act to suspend, until the 1st Day of October, 1850, the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [28th July, 1849.]

CAP. LIII.

An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors in Ireland. [28th July, 1849.]

CAP. LIV.

An Act to continue, until the 1st Day of October, 1850, and to the End of the then next Session of Parliament, an Act for authorising the Application of Highway Rates to Turnpike-roads. [28th July, 1849.]

CAP. LV.

An Act to abolish the Gaol of Newgate in the County of the City of Dublin, and provide Compensation for the Officers thereof, and to enable the Grand Jury of the County of the said City to increase the Salaries of the Chaplains of certain other Gaols thereof, and to re-assess on the County of the said City certain Arrears of Grand Jury Cess. [28th July, 1849.]

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CAP. LVI.

An Act to continue, until the 31st Day of July, 1850, and to the End of the then next Session of Parliament, an Act of the Fifth and Sixth Years of her present Majesty for amending the Law relative to private Lunatic Asylums in Ireland. [28th July, 1849.]

CAP. LVII.

An Act to authorise the Inclosure of certain Lands, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales. [28th July, 1849.]

CAP. LVIII.

An Act to extend to the Officers of Inland Revenue the Privilege of becoming Members of the Excise Benevolent Fund Society. [28th July, 1849.]

CAP. LIX.

An Act to amend an Act of the Tenth Year of her Majesty, for facilitating the Improvement of Landed Property in Ireland. [28th July, 1849.]

Sect. 1. In proceedings under recited act the certificate of the paymaster of civil service shall be evidence.

2. Certificate of commissioners of public works shall be evidence in case of proceedings for amount of preliminary expenses, or on security for due application of money advanced.

3. If parties neglect to comply with provisions of recited act or proceed with the works, commissioners may decline to make advance.

4. Commissioners may sanction alterations of plan, &c., and substitute others in lieu thereof.

5. Repeal of so much of recited act as requires certificate of amount to be issued.

6. Recited act and this act to be construed together, and loans out of monies advanced under the 12 & 13 Vict. c. 23, &c., authorising further advances, to be deemed loans under recited act.

7. Act may be amended, &c.

CAP. LX.

An Act further to amend an Act of the Tenth Year of her present Majesty, for rendering valid certain Proceedings for the Relief of Distress in Ireland, by Employment of the Labouring Poor, and to indemify those who have acted in such Proceedings. [28th July, 1849.]

CAP. LXI.

An Act to continue, until the 1st Day of October, 1850, and to the End of the then next Session of Parliament, the Exemption of Inhabitants from Liability to be rated as such, in respect of Stock-in-Trade or other Property, to the Relief of the Poor. [28th July, 1849.]

CAP. LXII.

An Act to authorise the Advance of Money out of the Consolidated Fund to the Midland Great Western Railway of Ireland Company. [28th July, 1849.]

CAP. LXIII.

An Act to authorise a further Advance of Money for the Relief of certain distressed Poor-law Unions in Ireland. [28th July, 1849.]

CAP. LXIV.

An Act to remove Doubts as to the Authority of Justices of the Peace to act in certain Matters relating to the Poor in Cities and Boroughs. [28th July, 1849.]

CAP. LXV.

An Act to provide a more convenient Mode of levying and collecting County Rates, County Police Rates, and District Police Rates in Parishes situated partly within and partly without the Limits of Boroughs which are not liable to such Rates. [28th July, 1849.]

CAP. LXVI.

An Act for enabling Colonial Legislatures to establish Inland Posts. [28th July, 1849.]

(To be continued).

London Gazettes.

TUESDAY, September 11.

BANKRUPTS.

WILLIAM ROGERS, John-st., Edgeware-road, Middlesex, licensed victualler, dealer and chapman, now a prisoner for debt in Whitecross-street Prison, London, Sept. 21 at 1, and Oct. 19 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Sheard, 6, Old Jewry.—Fiat dated Sept. 4.

LOUIS ENSOLL, Great Titchfield-st., Middlesex, linendraper, Sept. 21 at 12, and Oct. 17 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Heather & Moger, 17, Paternoster-row.—Fiat dated Sept. 4.

JOHN BOWERS, JOSEPH BOWERS, and SARAH ANN BOWERS, Worcester, grocers, (carrying on business under the firm of Bowers, Bowers, & Co.), Sept. 19 and Oct. 17 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrance & Plews, Old Jewry-chambers, London.—Fiat dated Aug. 28.

WILLIAM TYER, Gosport, Southampton, boot and shoe maker, Sept. 18 at 12, and Oct. 17 at half-past 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Stening, Gosport; Dyne, 61, Lincoln's-inn-fields.—Fiat dated Sept. 8.

FREDERICK BARFORD, late of Wood-street, Cheapside, London, and now of St. Alban's, Hertfordshire, straw plait and hat dealer, Sept. 18 at half-past 12, and Oct. 17 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Digby, Circus-place, Finsbury-circus.—Fiat dated Sept. 4.

THOMAS FRANCIS, Birmingham, nail manufacturer, dealer and chapman, Sept. 25 and Oct. 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Ingleby & Wragge, and Motteram & Co., Birmingham.—Fiat dated Sept. 1.

ALFRED VINER, Bristol, hop merchant and commission agent, dealer and chapman, Sept. 25 and Oct. 22 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Sabine, Bristol; Treherne & Co., Barge-yard-chambers, London.—Fiat dated Sept. 6.

WILLIAM JAMES BEBELL, Gloucester, ship and boat builder, mast, oar, block, and pump maker, dealer and chapman, Oct. 2 and 30 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Wilkes, Gloucester; Lewis, Essex-street.—Fiat dated Sept. 4.

JOHN DURHAM, Worksop, Nottinghamshire, miller, corn factor, dealer and chapman, Sept. 22 and Oct. 20 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Broomhead, Sheffield; Fiddey, Temple, London.—Fiat dated Sept. 6.

WILLIAM DIXON, Manchester, ironmonger, Sept. 25 and Oct. 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Rowley & Taylor, Manchester; W. & H. P. Sharp, 2, Verulam-buildings, Gray's-inn, London.—Fiat dated Sept. 4.

Meetings.

Samuel Vines, Crutched-friars, London, corn factor, Sept. 25 at 2, Court of Bankruptcy, London, last ex.—*William Shackel*, Canning-pl., Old-st., St. Luke's, Middlesex, bacon merchant, Sept. 25 at 12, Court of Bankruptcy, London, last ex.—*Lewis P. Capua*, Duke's-place, Aldgate, London, fruit merchant, Sept. 25 at 1, Court of Bankruptcy, London, last ex.—*Wm. Wiltshire* and *John E. Evans*, Trowbridge, Wiltshire, woollen drapers, Oct. 2 at half-past 1, Court of Bankruptcy, London, fin. div. sep. est. of *John E. Evans*.—*John H. Davies*, Merthyr Tydvil, Glamorganshire, grocer, Oct. 2 at 11, District Court of Bankruptcy, Bristol, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

David Allen, Coleman-street, and Lothbury, London, merchant, Oct. 5 at half-past 12, Court of Bankruptcy, London.—*John Fisher*, Bristol, livery stable keeper, Oct. 4 at 11, District Court of Bankruptcy, Bristol.—*T. Maddocks* the younger, Bollow, Westbury-upon-Severn, Gloucestershire, farmer, Oct. 2 at 11, District Court of Bankruptcy, Bristol.—*John Edmondson*, Warrington, Lancashire, miller, Oct. 2 at 12, Dis-

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trict Court of Bankruptcy, Manchester.—*William Freeman Fawcett*, Sedbusk, Aysgarth, Yorkshire, grocer, Oct. 4 at 11, District Court of Bankruptcy, Leeds.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 2.

William Pardington, Elmstone Hardwick, Gloucestershire, coal merchant.—*Wm. Broadbent Gunning*, Egham, Surrey, bricklayer.—*Walter Foyer*, Newcastle-upon-Tyne, hatter.

PARTNERSHIP DISSOLVED.

Charles Edward Prichard and *Edward Russell Ingram*, Stourport, Worcestershire, attornies and solicitors.

SCOTCH SEQUESTRATION.

Hugh Peter Macdonald, Monkstadt, Isle of Skye, farmer.

DECLARATION OF INSOLVENCY.

James Evans, St. Martin, Hereford, coal merchant, Sept. 20 at 10, County Court of Herefordshire, at Hereford.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Cadman, Pontypool, Monmouthshire, spirit merchant, Sept. 27 at 10, County Court of Monmouthshire, at Pontypool.—*Stephen Tiley*, Northwood, Isle of Wight, Hants, blacksmith, Sept. 27 at 10, County Court of Hampshire, at Newport.—*Harry Bennett*, Studley, Warwickshire, needle finisher, Sept. 20 at 2, County Court of Warwickshire, at Alcester.—*Charles Sewell*, Norwich, grocer, Sept. 25 at 10, County Court of Norfolk, at Norwich.—*John Carr*, Goole, Yorkshire, butcher, Oct. 25 at 11, County Court of Yorkshire, at Goole.—*George Garland*, Hook, Yorkshire, beer-house keeper, Oct. 25 at 11, County Court of Yorkshire, at Goole.—*William Henry Haslam*, Hulme, Manchester, assistant to a greengrocer, Sept. 21 at 2, County Court of Lancashire, at Manchester.—*Thos. Bleasdale*, Skerton, near Lancaster, provision dealer, Sept. 29 at 11, County Court of Lancashire, at Lancaster.—*John Harper*, Norwich, staymaker, Sept. 25 at 10, County Court of Norfolk, at Norwich.—*John Nixon*, Wavertree, Childwall, schoolmaster, Sept. 17 at 10, Liverpool District County Court, at Liverpool.—*Thomas Frazer*, Liverpool, car proprietor, Sept. 17 at 10, Liverpool District County Court, at Liverpool.—*Daniel Charles Browne*, Liverpool, teacher of music, Sept. 17 at 10, Liverpool District County Court, at Liverpool.—*Thos. Longley Mourilyan*, Deal, Kent, ironmonger, Sept. 18 at 10, County Court of Kent, at Deal.—*John Thorneloe*, Groby, Leicestershire, cabinetmaker, Oct. 16 at 2, County Court of Leicestershire, at Market Bosworth.—*John Dawson*, Louth, Lincolnshire, cordwainer, Sept. 25 at 9, County Court of Lincolnshire, at Louth.—*John Burgess*, Chester, licensed victualler, Sept. 17 at 10, County Court of Cheshire, at Chester.

Saturday, Sept. 8.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Naylor, Leeds, Yorkshire, cloth manufacturer, No. 71,373 C.; G. W. Bennett, assignee.

Saturday, Sept. 8.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas J. Page, Greenwich, Kent, silk manufacturer: in the Queen's Prison.—*Henry Burgess*, York-cottages, Leipsic-road, Camberwell, Surrey, builder: in the Queen's Prison.—*M. A. Cox*, Albion-place, Blackfriars-road, Surrey, artist: in the Queen's Prison.—*Wm. Coney*, Wardour-street, Soho, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Wm. Jones*, Whitton, Twickenham, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Vane*, High-street, Poplar, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Wm. John Tasker*, Idol-lane, Great Tower-street, London, wine merchant: in the Debtors Prison for London and Middlesex.—*Jones Woolf*, Liverpool-street, Bishopsgate-street Within, London, foreman to an orange merchant: in the Debtors Prison for London and Middlesex.—*John Lee*, John's-place, Doughty-street, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Wm. Dredge*, Mount-pleasant, East-road, City-road, Hoxton, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

James Potter, Cadogan-pier, Chelsea, Middlesex, money taker: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

John Stares, Emsworth, Southampton, greengrocer: in the Gaol of Winchester.—*John Pitt*, Hereford, farmer: in the Gaol of Hereford.—*B. Pinder*, Burnley, Lancashire, attorney-at-law: in the Gaol of Lancaster.—*Charles Martins*, Shottisham St. Mary, Norfolk, cordwainer: in the Gaol of Norwich.—*E. Moseley*, widow, Birmingham, out of business: in the Gaol of Coventry.—*John Buse*, Swansea, Glamorganshire, saddler: in the Gaol of Cardiff.—*N. Buse*, Swansea, Glamorganshire, currier: in the Gaol of Cardiff.—*A. Knowles*, Sheffield, Yorkshire, steel manufacturer: in the Gaol of York.—*John Willson*, Bradford, Yorkshire, commercial traveller: in the Gaol of York.—*W. Lawry*, Gulval, Cornwall, farmer: in the Gaol of Bodmin.—*John Bromage*, Broswood, Pembridge, Herefordshire, farmer: in the Gaol of Hereford.—*J. Avery*, Birmingham, tailor: in the Gaol of Coventry.—*C. J. Keays*, Maidstone, Kent, lessee of fisheries in the river Shannon, Ireland: in the Gaol of Maidstone.—*Jacob Levy*, Burton Joyce, Nottinghamshire, tailor: in the Gaol of Radford Peverel.—*Hannibal Marks*, Kingsand, Maker, Devonshire, superannuated gunner in her Majesty's Navy: in the Gaol of St. Thomas the Apostle.—*Wm. Turner*, Chorley, Lancashire, cotton manufacturer: in the Gaol of Lancaster.—*Edw. Armstrong*, Bradford, Yorkshire, tailor: in the Gaol of York.—*Isaac Hartley*, Billrough, near York, private in her Majesty's Royal Sappers and Miners: in the Gaol of York.—*George Perceval*, Beckbury, Shropshire, attorney's clerk: in the Gaol of Shrewsbury.—*Richard Teague*, Cheltenham, Gloucestershire, billiard-table keeper: in the Gaol of Gloucester.—*W. T. Threlfall*, St. Helen's, Lancashire, out of business: in the Gaol of Lancaster.—*Roger Roscoe*, Chorley, Lancashire carder in a cotton factory: in the Gaol of Lancaster.—*John Willis*, Hurst-house, near Prescot, Lancashire, in no trade or profession: in the Gaol of Lancaster.—*John Turner*, Pendleton, Salford, Lancashire, butcher: in the Gaol of Lancaster.—*Alex. Sutherland*, Grassendale, Aigburth, near Liverpool, master mariner: in the Gaol of Lancaster.—*John Rossall*, Liverpool, oil miller: in the Gaol of Lancaster.—*Edward Rowland*, North Shore, Kirkdale, Liverpool, architect and surveyor: in the Gaol of Lancaster.—*Fred. Newcombe*, Liverpool, provision-shop keeper: in the Gaol of Lancaster.—*William M'Cann*, Manchester, painter: in the Gaol of Lancaster.—*Robert Gudgeon*, Stockport, Cheshire, hatter: in the Gaol of Lancaster.—*Isaac Peart*, Richmond-hill, Leeds, Yorkshire, upholsterer: in York Castle.—*Frederick Schmidt*, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Thomas Rowan*, Liverpool, stevedore: in the Gaol of Lancaster.—*John Rigby*, Birkenhead, Liverpool, agent for the sale of timber: in the Gaol of Lancaster.—*Edw. Page*, Newport, Monmouthshire, music seller: in the Gaol of Monmouth.—*Thos. Milner*, Hulme, Manchester, licensed victualler: in the Gaol of Lancaster.—*Chas. Hargreaves*, Pudsey, near Leeds, Yorkshire, cloth manufacturer: in York Castle.—*Anne Crankshaw*, Preston, Lancashire, milliner: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 25 at 10, before Mr. Commissioner LAW.

Daniel Alsop, Fulham, Middlesex, printer.—*Henry Rowe*, Clavering, Essex, out of business.—*Jabez Aston*, High-street, Hoxton Old-town, Middlesex, dealer in coke and coals.—*Wm. Smith*, King-street, Cambridge-road, Mile-end, Middlesex, wholesale milliner.—*Wm. Mathews*, Dover-road, Surrey, general agent.

Sept. 25 at 10, before Mr. Commissioner PHILLIPS.

Thomas Webb, New Bond-street, Middlesex, dyer.—*Francis Winch*, Margate, Kent, carpenter.—*John Taperell*, Leonard-st., Vauxhall-bridge-road, Middlesex, carpenter.—*Henry Brown*, Hickman's-folly, Bermondsey, Surrey, baker.

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Sept. 26 *at* 10, *before the* CHIEF COMMISSIONER.

Thomas Wood, Randall-st., Limehouse, Middlesex, waterman.—*Henry Wilton* the elder, John-street, Pentonville, Middlesex, attorney and solicitor.

Sept. 26 *at* 10, *before Mr. Commissioner* HARRIS.

Clarendon Hyde, Frederick-place, Rotherfield-st., Lower-road, Islington, Middlesex, surgeon.—*Richard Winch* the elder, Belgrave-house, King's-road, St. Pancras, Middlesex, ivory cutter.

Sept. 26 *at* 10, *before Mr. Commissioner* LAW.

Con Wallis, Plumstead, Kent, bricklayer.—*H. Marshall*, Alfred-place, Bedford-square, Middlesex, in no business.

Sept. 26 *at* 10, *before Mr. Commissioner* PHILLIPS.

George Lumley, Stratford-place, Richmond-road, Dalston, Middlesex, in no trade or profession.—*James Henry Samuel Baker*, Greek-street, Soho-square, Middlesex, appraiser.

Sept. 27 *at* 10, *before the* CHIEF COMMISSIONER.

John King, Ropemaker-street, Little Moorfields, London, saddler.—*Samuel Knight*, Dean-street, Soho, Middlesex, engineer.

Sept. 27 *at* 10, *before Mr. Commissioner* HARRIS.

Samuel Snooke, North-place, Globe-street, Bethnal-green, Middlesex, stonemason.—*Wm. Henry Smith*, Walcot-place, Lambeth, Surrey, mine agent.

Sept. 27 *at* 10, *before Mr. Commissioner* LAW.

Wm. Apsley, New Oxford-street, Middlesex, staymaker.

Sept. 27 *at* 10, *before Mr. Commissioner* PHILLIPS.

Richard Valler, Portland-st., Berwick-st., Oxford-street, Middlesex, coach maker.—*George Quantock*, Old-street, St. Luke's, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Dorsetshire, at DORCHESTER, *Oct.* 9 *at* 12.

George Hallett, West Chickerell, yeoman.

At the County Court of Warwickshire, at COVENTRY, *Sept.* 26.

John Shilton, Digbeth, Birmingham, out of business.—*S. Shilton*, Parade, Birmingham, out of business.—*Eleanor Moseley*, widow, Birmingham, out of business.—*John Avery*, Birmingham, tailor.

At the County Court of Carmarthenshire, at CARMARTHEN, *Sept.* 25 *at* 2.

Thomas Lloyd, Wtiafawr, Llanfynydd, labourer.

At the County Court of Norfolk, at NORWICH CASTLE, *Sept.* 25 *at* 10.

Charles Martins, Shottisham St. Mary, cordwainer.

FRIDAY, SEPTEMBER 14.

BANKRUPTS.

CHARLES HODGE, Plymouth, Devonshire, draper, dealer and chapman, Sept. 24 at 12, and Oct. 27 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Hardwick & Davidson, Weavers'-hall, Basinghall-street.—Fiat dated Sept. 4.

JAMES BRAGG, St. James's-wharf, Bermondsey-wall, Bermondsey, Surrey, lime, brick, and tile merchant, Sept. 21 at half-past 1, and Oct. 27 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Lewis, 15, Wilmington-square.—Fiat dated Sept. 11.

JOHN FRANCIS KNOBEL, formerly of Charles-street, Berkeley-sq., wine and spirit merchant, in copartnership with John Tuckwell, afterwards of King-st., St. James's-square, wine and spirit merchant, in copartnership with the said John Tuckwell and John Hamilton, and now of Bolton-row, Piccadilly, Middlesex, wine and spirit merchant, in copartnership with Robert Watkins the younger, Sept. 22 at 11, and Oct. 24 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrance & Plews, Old Jewry-chambers.—Fiat dated Sept. 13.

HENRY ALDRICH, Ipswich, Suffolk, corn and coal merchant, dealer and chapman, Sept. 22 at 12, and Nov. 2 at half-past 1, Court of Bankruptcy, London: Off. Ass. Green; Sols. Jackaman, Ipswich; Bromley & Aldridge, 1, South-sq., Gray's-inn.—Fiat dated Sept. 11.

JOHN TUHEY, late of Hanover-place, Kennington, but now of Willow-walk, Surrey, builder, Sept. 22 at 12, and Oct. 24 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Kaye, 4, Symond's-inn, Chancery-lane.—Fiat dated Aug. 22.

CHARLES ROWLAND, Horsham, Sussex, stonemason and builder, dealer and chapman, Sept. 21 and Oct. 24 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Champion & Jutsum, 71, Whitechapel-road, London.—Fiat dated Sept. 11.

FRANCIS JENKINSON, Foubert's-place, Regent-street, Middlesex, baker, dealer and chapman, Sept. 22 at half-past 1, and Oct. 24 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Messrs. Hilleary, 63, Fenchurch-st., London.—Fiat dated Sept. 10.

HENRY COPPIN, Colchester, Essex, boot and shoe maker, Sept. 21 at half-past 12, and Oct. 24 at 12, Court of Bankruptcy, London: Sol. Smith, New-inn, Strand, London.—Fiat dated Sept. 11.

THOMAS CHAMBERS, formerly of Roehampton, Putney, Surrey, and of Kingsland-road, West Hackney, Middlesex, baker and confectioner, dealer and chapman, and now a prisoner in the Queen's Prison, Sept. 22 at 1, and Oct. 24 at half-past 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Bateman, 6, Essex-st., Strand.—Fiat dated Sept. 8.

FRANCIS KINDON, Manchester, draper, lacemen, dealer and chapman, Sept. 26 at 12, and Oct. 18 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sols. Faulkner, Manchester; Mardon & Prichard, Christchurch-chambers, Newgate-st., London.—Fiat dated Sept. 1.

EDWIN CALDER, Birmingham, miller, Sept. 26 and Oct. 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Morgan, Birmingham.—Fiat dated Sept. 1.

GEORGE MOLINI COWLEY, Nottingham, scrivener and bill broker, Oct. 5 and Nov. 9 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Fiat dated Sept. 8.

CHARLES EDWIN WILSON and HENRY WILSON, Rhosymedre and Cefn Mear, Ruabon, Denbighshire, grocers, drapers, wine and spirit merchants, and general dealers, Sept. 25 at 12, and Oct. 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Salter, Ellesmere, Shropshire; Avison & Pritt, Liverpool; Ramondi & Co., Lincoln's-inn-fields, London.—Fiat dated Sept. 8.

MEETINGS.

Wm. Davis, Lock's Bottom, Farnborough, Kent, brewer, Oct. 6 at half-past 12, Court of Bankruptcy, London, last ex.—*Wm. Labrey*, Manchester, grocer, Sept. 28 at 12, District Court of Bankruptcy, Manchester, last ex.—*John Robinson* Honley, Almondbury, Yorkshire, dyer, Dec. 3 at 12, District Court of Bankruptcy, Leeds, last ex.—*Wm. Husler*, Woodhouse, Leeds, Yorkshire, stonemason, Oct. 5 at 11, District Court of Bankruptcy, Leeds, last ex.—*James Gilbert*, St. Luke's, Middlesex, ironfounder, Oct. 8 at 1, Court of Bankruptcy, London, aud. ac.—*Thos. Barrett*, Oxford, timber merchant, Oct. 8 at 1, Court of Bankruptcy, London, aud. ac.—*R. S. Roach*, Cateaton-street, London, cap and silk manufacturer, Oct. 8 at 1, Court of Bankruptcy, London, aud. ac.—*Thos. Gales*, Ford Dock-yard, Ford, Durham, shipbuilder, Oct. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 17 at 12, fin. div.—*Thomas Fox*, *George Rippon*, *Christopher A. Wawn*, and *Wm. Lishman*, West Cornforth, and Thrislington, near West Cornforth, Durham, limeburners, Oct. 16 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *C. A. Wawn*.—*Joseph Forrester*, Whitehaven, Cumberland, mercer, Oct. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 11 at 12, div.—*George Barras*, Newcastle-upon-Tyne, wine and spirit merchant, Oct. 17 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 19 at 12, fin. div.—*Robert Taylerson*, Felling Iron Works, Felling Shore, Durham, iron manufacturer, Oct. 16 at half-past 10, District Court of Bankruptcy, Newcastle-upon

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Tyne, aud. ac.; Oct. 19 at half-past 10, div.—*Wm. Wilson*, Houghton-le-Spring, Durham, maltster, Oct. 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Jos. Nicholson*, Jenkin-cragg, Scalthwaiterigg Hay, Kendal, Westmoreland, drover, Oct. 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Hugh Cowan*, Stockton-upon-Tees, Durham, tailor, Oct. 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Todd*, Whitehaven, Cumberland, ironmonger, Oct. 16 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 17 at 1, fin. div.—*C. J. Spence*, Stockton-upon-Tees, Durham, timber merchant, Oct. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 11 at half-past 11, fin. div.—*C. Robson*, Newcastle-upon-Tyne, grocer, Oct. 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 11 at half-past 11, fin. div.—*Robt. Imeary*, East Jarrow, Durham, alkali manufacturer, Oct. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 17 at 11, fin. div.—*John Parsons*, Wolverhampton, Staffordshire, edge tool manufacturer, Oct. 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*James Dobbs*, Withington, Herefordshire, timber merchant, Oct. 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*G. T. Bateson*, Warrington, and Mossside, Lancashire, ironfounder, Oct. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Oct. 9 at 12, fin. div.—*Robt. Taylor*, Liverpool, ironmonger, Oct. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Oct. 9 at 11, div.—*John H. Charlton*, Hales Owen, Worcestershire, tailor, Oct. 9 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*John Boyce*, Birmingham, umbrella furniture manufacturer, Oct. 9 at 12, District Court of Bankruptcy, Birmingham, div.—*Matthew Roe*, Coventry, Warwickshire, draper, Oct. 9 at 12, District Court of Bankruptcy, Birmingham, div.—*James Hellings*, *Thos. Bate*, and *Wm. S. Bate*, Rugeley, Staffordshire, brewers, Oct. 6 at 10, District Court of Bankruptcy, Birmingham, div. sep. est. of *Jas. Hellings*.—*Thomas Davies*, Aberavon, Glamorganshire, draper, Oct. 8 at 11, District Court of Bankruptcy, Bristol, div.—*Thomas Coates*, Sunderland, Durham, wine merchant, Oct. 19 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Wm. Wylam* and *Joshua Greene* the younger, Newcastle-upon-Tyne, merchants, Oct. 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Robert Knowles*, Great Bolton, Lancashire, collier, Oct. 10 at 11, District Court of Bankruptcy, Manchester, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George S. Corley, Oundle, Northamptonshire, dealer in music, Oct. 8 at half-past 12, Court of Bankruptcy, London.—*James Smith*, Smith's-buildings, Mansell-street, Whitechapel, Middlesex, spruce merchant, Oct. 6 at 12, Court of Bankruptcy, London.—*Wm. Blackwell*, Plumstead, Kent, baker, Oct. 6 at half-past 11, Court of Bankruptcy, London.—*G. Barras*, Newcastle-upon-Tyne, wine merchant, Oct. 17 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thos. Morris*, Abergavenny, Monmouthshire, corn merchant, Oct. 11 at 11, District Court of Bankruptcy, Bristol.—*Sarah Greaves Eyre*, Leeds, Yorkshire, innkeeper, Oct. 5 at 11, District Court of Bankruptcy, Leeds.—*Thomas Potter*, Sheffield, Yorkshire, printer, Oct. 6 at 10, District Court of Bankruptcy, Sheffield.—*William Nicholson*, Pontefract, Yorkshire, saddler, Oct. 5 at 11, District Court of Bankruptcy, Leeds.—*Maurice Powell*, Newtown, Montgomeryshire, butcher, Oct. 8 at 11, District Court of Bankruptcy, Liverpool.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 5.

Thomas Mannington, Brighton, Sussex, tobacconist.—*Chas. Moore Mottram*, Friday-street, Cheapside, London, warehouseman.—*James Morgan*, Liverpool, hotel keeper.—*William Henry Suter*, Liverpool, commission agent.—*Richard Ryder*, Kingston-upon-Hull, grocer.—*St. John Cartwright*, Worksop, Nottingham, grocer.—*John Smith* and *Wm. Derbyshire*, Manchester, and Egerton within Turton, Lancashire, dyers.—*Edward Ash Ball*, Manchester, share broker.—*Robert Roberts*, Liverpool, grocer.—*John Anderson*, Liverpool, merchant.—*George Millership*, Oldbury, Worcestershire, draper.—*Matthew Davison*, Newcastle-upon-Tyne, draper.

Scotch Sequestrations.

Patrick Just, Dundee, merchant.—*Alexander Elder*, Edinburgh, printer.—*James Aitchison*, Cockburnspath, Berwickshire, merchant.—*Matthew Wingrave*, Esq., Edinburgh, deceased.—*William Young*, Airdrie, turner.

DECLARATION OF INSOLVENCY.

Thomas Taylor, Oswestry, Shropshire, hatter, Sept. 22 at 10, County Court of Shropshire, at Oswestry.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Orr, Ashford, Kent, clothier, Sept. 21 at 10, County Court of Kent, at Ashford.—*Samuel Coade*, Exwick, Devonshire, woolcomber, Sept. 29 at 10, County Court of Devonshire, at Exeter.—*Joseph Harper*, Dudley, Worcestershire, fruiterer, Sept. 27 at 2, County Court of Worcestershire, at Dudley.—*Joseph Underwood*, Hailey, Witney, Oxfordshire, land surveyor, Sept. 27 at 11, County Court of Oxfordshire, at Witney.—*James Truman* the younger, New Lenton, Nottinghamshire, lacemaker, Oct. 5 at 9, County Court of Nottinghamshire, at Nottingham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Oct. 1 *at* 10, *before the* Chief Commissioner.

Joseph Alfred Gray, Wyndham-road, Camberwell, Surrey, dealer in jewellery.—*Hen. Prosser Tewier*, Little New-street, Fetter-lane, London, out of business.—*William Gray Abbot*, Bridge-street, Southwark, Surrey, stock dealer.—*James Green Peacock*, Circus, Minories, London, accountant.—*William Middlecoat*, Great Chart-street, Hoxton, Middlesex, commission agent.

Oct. 1 *at* 10, *before Mr. Commissioner* Harris.

Henry Perkins, Edgeware-road, Marylebone, Middlesex, ironmonger.—*Charlotte Kopsch*, Wharton-street, Pentonville, Middlesex, out of business.—*John Kay*, Hampton-terrace, Camden-town, Middlesex, out of business.—*John Cowderoy* the younger, St. Martin's-lane, Charing-cross, Middlesex, out of business.—*William Coney*, Wardour-street, Soho, Middlesex, builder.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Moulding, Blackburn, out of business, No. 71,437; James Cunningham, assignee.—*William Hall*, Pilsworth, near Bury, out of employment, No. 71,385; Robert Butterworth, assignee.—*John Davenport*, Manchester, manager of a beer-house, No. 71,517; James Moss, assignee.—*James Wood*, Manchester, baker, No. 71,508; John Moss, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at Lancaster, *Sept.* 14 *at* 11.

William Turner, Chorley, out of business.

Sept. 28, *at the same place and hour.*

Henry Wilkinson, Habergham Eaves, near Burnley, provision-shop keeper.—*James Copley*, Ashton-under-Lyne, retail dealer in ale.—*Anne Crankshaw*, Preston, milliner.—*A. Sutherland*, Aigburth, near Liverpool, master of the barque Alexander.—*Wm. Turner Threlfall*, St. Helen's, ironmonger.—*Frederick Jackson*, Stock-lane, near Oldham, out of business.—*Thos. Rowan*, Liverpool, stevedore.—*Robt. Gudgeon*, Stockport, dealer in hats.—*Samuel Massey*, Preston, ironmoulder.—*Frederick Newcombe*, Liverpool, assistant to a grocer.—*Frederick Schmidt*, Liverpool, bookkeeper.—*John Turner*, Pendleton, near Manchester, butcher.—*Thos. Milner*, Hulme, Manchester, out of business.—*John Rossell*, Liverpool, oil miller.—*Wm. Booth*, Spotland, near Rochdale, coal proprietor.—*Robert Brown*, Liverpool, licensed victualler.—*John Rigby*, Birkenhead, near Liverpool, agent for the sale of timber.—*George Hindle*, Edenfield, near Bury, overlooker in a cotton factory.—*John Crossley*, Small-bridge, near Rochdale, warehouseman.—*Francis Handley*, Manchester, baker.

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At the County Court of Yorkshire, at YORK CASTLE, *Oct.* 1 *at* 10.

John Haigh, Delph, dyer.—*Edward Halliley*, Leeds, cloth finisher.—*James Glover*, Wakefield, publican.—*John Burrell*, Birstal, near Leeds, innkeeper.—*Wm. Swales*, Leeds, out of business.—*George Bramham*, Knowstrop, near Leeds, out of business.—*Luke Milnes*, Dungeon Bottom, Lockwood, near Huddersfield, shopkeeper.—*James Eastwood*, Elland, near Halifax, joiner.—*Thomas Hodgson*, Leeds, paper stainer.—*James Jennings*, Banksides, near Thorne, farmer.—*Benjamin Ibbetson*, Guiseley, near Leeds, out of business.—*Isaac Hartley*, Bilborough, near York, builder.—*Wm. Taylor*, Wakefield, out of business.—*Isaac Peart*, Leeds, out of business.—*Adam Knowles*, Sheffield, file manufacturer.—*James Hartley*, Leeds, out of business.—*John Wilson*, Bradford, commercial traveller.—*Robert Sudlow*, Middlesbro', mason.—*John Fishwick*, Middlesbro', bricklayer.—*John Bell*, Kirby-moor-side, bootmaker.—*Edw. Armstrong*, Bradford, provision dealer.—*Charles Hargreaves*, Pudsey, near Leeds, out of business.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Sept.* 29 *at* 10.

Hannibal Marks, Kingsand, Maker, superannuated gunner in her Majesty's Navy.—*John Monday*, Tiverton, farmer.

At the County Court of Gloucestershire, at BRISTOL, *Oct.* 1 *at* 11.

Robert Lloyd, Redland, carpenter.

At the County Court of Glamorganshire, at CARDIFF, *Oct.* 22.

Nicholas Buse, Swansea, currier.—*John Buse*, Swansea, saddler.

At the County Court of Nottinghamshire, at NOTTINGHAM, *Oct.* 5.

Jacob Levy, Nottingham, out of business.—*James Fenton*, Newark-upon-Trent, cigar dealer.

INSOLVENT DEBTOR'S DIVIDEND.

John Weeks, Liverpool, licensed victualler, at Dodge's, Liverpool: 10*d.* in the pound.

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Age when Assured.	*Amount of Premiums paid.*	*Bonus by Addition to Sum Assured:* *Amount of Addition.*	*Per Cent. per Ann. on Sum Assured.*	*Per Cent. on the Amt. of Prems. paid.*
	£ s. d.	£		
20	152 5 0	98	1·40	64·4
30	186 7 6	102	1·46	54·8
40	238 0 0	113	1·61	47·5
50	317 12 6	135	1·93	42·5
60	445 7 6	166	2·37	37·2
70	771 15 0	244	3·49	31·6
Average	..	..	2·04	46·3

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The Jurist

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LONDON, SEPTEMBER 22, 1849.

The stat. 12 & 13 Vict. c. 106, known and to be cited as "The Bankrupt Law Consolidation Act, 1849," comes into operation on the 11th of next month. It is not only a codification of the law relating to bankruptcy, which, scattered through many statutes, was in existence at the time of its enactment, but it also introduces some important alterations.

The following may be enumerated as the principal changes which will be effected by it:—The fiat is abolished, and in its place a petition for adjudication of bankruptcy is substituted, (sect. 4). Such petition is to be filed in the Bankruptcy Courts, (sect. 90), in the commissioners of which a primary jurisdiction is vested, while there is to be only an appellate jurisdiction in the Vice-Chancellor and Lord Chancellor, (sect. 12). Stamps are to be imposed on documents used in bankruptcy proceedings, in lieu of direct payment by fees, (sect. 48). Execution against the goods and chattels of the bankrupt, so as to be protected, must be by seizure *and sale*, (as well as bonâ fide, before filing of petition, and without notice of prior act of bankruptcy); while, as against his lands, it is sufficient if executed by seizure only, (sect. 133). Leave of the Court is required for the assignees to commence or defend an action at law, and to defend a suit in equity, as well as to commence such suit, (sect. 153). Outstanding debts of the bankrupt may, after a certain time, be sold by the assignees, under the order of the Court, (sect. 188). A bankrupt is not to be liable upon any promise to pay a debt from which he has been discharged by his certificate, (sect. 204). Private arrangements between debtors and creditors may be carried out under the superintendence and control of the Court, (sects. 211—223). A clear distinction is made between the honest and the fraudulent debtor, by enabling an insolvent trader, under certain circumstances, to wind up his affairs without the stigma of bankruptcy, and by empowering the Court to grant either a first class certificate, which declares the trader's inability to pay his debts to have arisen from misfortune only; or a second class, in which it is declared to have arisen partly from misfortune; or a third class, in which it is declared not to have arisen from misfortune, (Ib., sect. 198, and Schedule (Z)). Increased facilities are given for the service of a notice of debt whereon to found an act of bankruptcy, (sect. 78). The time for appearance of a debtor summoned before the Court is reduced from fourteen days to seven, (sect. 80). Voluntary petitions are restricted, by requiring debtors applying for them to shew that they are able to pay 5*s.* in the pound, (sect. 93). Judges' orders, as well as warrants of attorney and cognovits, are to be filed, (sect. 137); and in certain cases are to be wholly void, (sect. 135). The assignees and the creditors who have proved are to be deemed judgment creditors for the whole amount of proof and the separate proofs respectively; and the Court, having refused further protection to the bankrupt, or having refused or suspended his certificate, may grant a certificate of such proofs, upon which a ca. sa. may be issued either by the assignees or any of such creditors, and the bankrupt, if arrested thereon, cannot be discharged under a year, except by order of the Court, (sects. 257—259). The number of London commissioners is to be reduced from six to four, and the Courts are to sit daily throughout the year (except on certain named days) for the despatch of business, (sects. 7, 10).

Such appear to be the principal new provisions introduced by this statute, which are intended to fa-

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cilitate an honest surrender of the property of insolvent debtors for equal distribution among their creditors, to increase the control of creditors over the persons and property of their debtors, and to add to the general efficiency of Courts of Bankruptcy. They appear to have given satisfaction to the trading community, as represented by the committee appointed to promote the amendment of the bankrupt law. They conclude their last report upon the subject by expressing an opinion, that, "although the full benefit of this act cannot be immediately realised, yet, as soon as it comes into operation, the Court of Bankruptcy will afford the quickest, cheapest, and most efficient means of winding up estates, especially when fraud is believed to exist, or when the assent of three-fifths of the creditors cannot be obtained to the offer made by the debtor; but when the assent of three-fifths of the creditors can be obtained, then the facilities for the settlement of estates under the control of the Court, *but without bankruptcy*, will be equally beneficial to the creditor as to the debtor: so that the Court will no longer be used as hitherto by the debtor, *to compel his creditors* to accept any offer he pleases to make, however fraudulent it may be, but will henceforth be resorted to by the unfortunate but honest debtor, as a court in which he can obtain relief, and secure the equal distribution of his assets among his creditors; satisfied, that, whatever may be the pecuniary result, he will, if he act honestly, have public testimony borne thereto by the Court; and will not, as heretofore, be dismissed on equal terms with the most fraudulent bankrupt."

JURISDICTION OF COUNTY COURTS TO ORDER A NEW TRIAL.

By the 118th section of the County Courts Act (the 9 & 10 Vict. c. 95) it is enacted, "that if any claim shall be made to or in respect of any goods or chattels taken in execution under the process of any court holden under this act, or in respect of the proceeds or value thereof, by any landlord for rent, or by any person not being the party against whom such process has issued, it shall be lawful for the clerk of the court, upon application of the officer charged with the execution of such process, as well before as after any action brought against such officer, to issue a summons calling before the said court as well the party issuing such process as the party making such claim, and thereupon any action which shall have been brought in any of her Majesty's superior courts of record, or in any local or inferior court, in respect of such claim, shall be stayed, and the court in which such action shall have been brought, or any judge thereof, on proof of the issue of such summons, and that the goods and chattels were so taken in execution, may order the party bringing such action to pay the costs of all proceedings had upon such action after the issue of such summons out of the county court; and the judge of the county court shall adjudicate upon such claim, and make such order between the parties in respect thereof, and of the costs of the proceedings, as to him shall seem fit, and such order shall be enforced in like manner as any order made in any suit brought in such court."

And by the 89th section it is enacted, "that every order and judgment of any court holden under this act, except as herein provided, shall be final and conclusive between the parties; but the judge shall have power to nonsuit the plaintiff in every case in which satisfactory proof shall not be given to him entitling either the plaintiff or defendant to the judgment of the court, and shall also in every case whatever have the power, if he shall think fit, to order a new trial to be had upon such terms as he shall think reasonable, and in the mean time to stay the proceedings."

Now, we understand that it has been held, in a county court, that the court has no jurisdiction, under the 89th section, to grant a rehearing of a case heard upon an interpleader summons under the 118th. The circumstances of the case had in them nothing very peculiar, as it appears to us; however, they may be shortly stated as follows:—

An insolvent trader, at a meeting of his creditors, authorised three of them to sell his effects, being his stock-in-trade, and divide the money amongst his creditors, equally, in proportion to their respective debts. The authority was verbal only; but the insolvent left his house and shop, and gave possession thereof to the parties authorised to sell the effects. They advertised them for sale in the public newspapers, and A. agreed to purchase them by private sale. For the purchase-money he gave a joint and several promissory note, of himself and an approved surety, payable four months after the date. Possession of the effects was given to A.; he hired the house and shop, was rated, and carried on there his trade. Shortly afterwards one of the creditors sued the insolvent in the county court, and obtained execution, and the bailiff seized some of the effects purchased by A., who thereupon gave notice to the bailiff of his claim, and the question was brought before the Court under the 118th section of the act. Evidence of the facts above mentioned was given. A. had not obtained a legal receipt for his payment, and therefore he procured, for the trial, a receipt on stamp, signed by the three persons authorised to sell the effects, and this receipt was also produced in evidence. The bill or note was not produced, but one of the witnesses said it was in his possession at home. On this evidence, the judge thought the transaction suspicious, and held that the sale to A. was not bonâ fide. On the following court-day, A. applied for a rehearing of the case, under the 89th section of the act; but the application was refused, on the ground of the Court having no jurisdiction to grant a rehearing of an interpleader summons.

On the merits of the question, whether the evidence shewed the sale to be bonâ fide or not, we do not purpose here to comment; but the question is, whether the ruling of the Court as to the construction of the 89th and 118th sections of the act was not altogether incorrect.

No words can be larger than those of the 89th section. "Every *order and judgment*," says the first part, "shall be final," except as excepted. There is nothing to shew that the word "order," or "judgment," refers to any particular kind of proceeding; but whatever order or judgment the Court has jurisdiction to make, shall be final, subject to the exception; and the exception is, that in *every case whatever* the judge may order a new *trial*. Now, unless anything turn on the word "trial," as not applicable to the proceedings under the 118th section, it is clear that the Court must have power to order a new trial under that section, as well as in any other case, since the decision pronounced under it, by the Court, is certainly either a judgment or an order. Indeed, the judge is expressly required by that section to make an order.

The clause directs that the judge shall *adjudicate* upon the *claim* made, and make such *order* between the parties in respect thereof, &c., as to him shall seem fit. If the word "trial" could have any peculiar technical meaning under the act, possibly it might be said, such a hearing is not a trial, as by a *trial* is generally understood a jury trial. But, as the causes under the act are not all jury causes, that cannot be the sense of the word "trial" under the act. In Chancery a cause is more cor-

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rectly said to be heard than to be tried; but there is no substantial distinction; and wherever the facts and law of a case are adjudicated upon, the cause must be said to have been *tried*. If it be said that the proceedings under the 118th section are not a cause, the answer is, that the 89th section does not speak of a cause; it speaks of any order or judgment, and it explains afterwards in reference to what proceedings the words are used, by saying, that in every *case*—not in every *cause*, but in every *case*, on which the judge has power to adjudicate, he may order a new trial. The 74th clause, it is true, does use the word "try" in reference, apparently, to an ordinary cause between demandant and defendant; but that clause is merely directory as to the mode of proceeding in such a cause, and does not appear intended to determine any question of jurisdiction.

We are, we confess, on the whole, much surprised at the county court decision that has been reported to us, and have very little doubt that it is quite wrong.

PUBLIC GENERAL STATUTES.

12 & 13 Victoriæ.—Session 2.

(*Continued from p.* 348).

CAP. LXVII.

An Act to extend the Remedies of Sequestrators of Ecclesiastical Benefices. [28th July, 1849.]

Sect. 1. Sequestrator enabled to sue in his own name for tithes, rent, &c. due to the incumbent of the benefice sequestered. Nothing to empower sequestrator to bring or take actions, except against incumbent, &c. Sequestrator may require indemnity from the creditor at whose suit the sequestration shall issue.

2. All payments under the act to be deemed profits of the benefice.

3. Act may be amended, &c.

CAP. LXVIII.

An Act for facilitating the Marriage of British Subjects resident in Foreign Countries. [28th July, 1849.]

Sect. 1. Marriages solemnised abroad in manner provided by this act to be valid.

2. Notice of every intended marriage to be given to consul.

3. Consul to file notices, register them in a book, and suspend copies in the office of the consulate.

4. Persons duly authorised may forbid the solemnisation of any marriage.

5. Like consent to any marriage by license as is required in England.

6. Consul may grant licenses for marriage.

7. Caveat against marriages may be lodged with consul.

8. When marriage not solemnised within three months, a new notice required.

9. After seven days by license, or twenty-one days without license, marriages may be solemnised at the British consulate, by or in the presence of the consul and two witnesses.

10. Marriage fees to the consul.

11. Consul to register marriages in duplicate in books to be sent by the registrar-general through the Secretary of State.

12. Copies of the marriage register book to be forwarded yearly to the Secretary of State.

13. Proof of residence of parties or consent not necessary to establish marriage.

14. Consul may ask certain particulars of parties.

15. In case of fraudulent marriage, the guilty party to forfeit all property accruing from the marriage, as in 4 Geo. 4, c. 76.

16. Persons taking false oaths, &c. guilty of perjury.

17. The certificate of consul to be evidence.

18. Provisions of Registration Act extended to this act.

19. Consuls may be authorised by Secretary of State to solemnise marriages.

20. Certain past marriages confirmed.

21. Extent of act.

22. Act may be amended, &c.

CAP. LXIX.

An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in Ireland, with respect to Persons charged with Indictable Offences. [28th July, 1849.]

CAP. LXX.

An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in Ireland, with respect to Summary Convictions and Orders. [28th July, 1849.]

CAP. LXXI.

An Act to dissolve Regimental Benefit Societies, and to provide for the Application of the Funds of such Societies, and of Regimental Charitable Funds. [28th July, 1849.]

CAP. LXXII.

An Act further to amend the Acts relating to the Offices of the House of Commons. [28th July, 1849.]

CAP. LXXIII.

An Act to limit the Enlistment in the Artillery and other Ordnance Corps. [28th July, 1849.]

CAP. LXXIV.

An Act for the further Relief of Trustees. [28th July, 1849.]

Sect. 1. *Court of Chancery may, upon Application by Majority of Trustees, &c., order Payment or Transfer of Trust-monies, Stocks, or Securities into Court of Chancery.*

2. *Act may be amended, &c.*

Whereas difficulties have arisen in the transfer of securities vested in trustees in certain cases under the provisions of an act passed in the session of Parliament holden in the 10 & 11 Vict. [c. 96], intituled "An Act for better securing Trust Funds, and for the Relief of Trustees," and it is expedient to make further provision for carrying into effect the objects of the said recited act: be it therefore enacted, &c., that if, upon any petition presented to the Lord Chancellor or Master of the Rolls in the matter of the said act, it shall appear to the judge of the Court of Chancery before whom such petition shall be heard that any monies, annuities, stocks, or securities are vested in any persons as trustees, executors, or administrators, or otherwise, upon trusts within the meaning of the said recited act, and that the major part of such persons are desirous of transferring, paying, or delivering the same to the Accountant-General of the High Court of Chancery under the provisions of the said recited act, but that for any reason the concurrence of the other or others of them cannot be had, it shall be lawful for such judge as aforesaid to order and direct such transfer, payment, or delivery to be made by the major part of such persons without the concurrence of the other or others of them; and where any such monies or Government or Parliamentary securities shall be deposited with any banker, broker, or other depositary, it shall be lawful for such judge as aforesaid to make such order for the payment or delivery of such monies, Government or Parliamentary securities, to the major part of such trustees, executors, administrators, or other persons as aforesaid, for the purpose of being paid or delivered to the said Accountant-General, as to the said judge shall seem meet; and every transfer of any annuities, stocks, or securities, and every payment of money or delivery of securities, in pursuance of any such order, shall be as valid and effectual as if the same had been made on the authority or by the act of all the persons entitled to the annuities, stocks, or securities so transferred, or the monies or securities so paid or delivered respectively, and shall fully protect and indemnify the governor and company of the Bank of England, the East India Company, and the South Sea Company, and all other persons acting under or in pursuance of such order.

2. That this act may be amended or repealed in the present session of Parliament.

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CAP. LXXV.

An Act to defray, until the 1st Day of August, 1850, the Charge of the Pay, Clothing, and contingent and other Expenses of the disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorise the Employment of the Non-commissioned Officers. [28th July, 1849.]

CAP. LXXVI.

An Act to protect Women from fraudulent Practices for procuring their Defilement. [28th July, 1849.]

CAP. LXXVII.

An Act further to facilitate the Sale and Transfer of Incumbered Estates in Ireland. [28th July, 1849.]

Sect. 1. Three commissioners to be appointed under sign manual.
2. Commissioners to have a common seal.
3. Two commissioners to be a quorum.
4. Power to appoint and remove secretary, clerks, &c.
5. Appointments under this act limited to five years.
6. Salaries to be paid out of monies to be provided by Parliament.
7. Commissioners not to sit in House of Commons.
8. Oath of commissioners.
9. Commissioners to frame and promulgate forms of application, &c.
10. Commissioners to make general rules for regulating proceedings under this act. No fees to be payable on proceedings. Rules to be laid before the Privy Council of Ireland. Rules, when confirmed by Privy Council, and inrolled in Chancery, to have the force of an act of Parliament. Rules may be altered.
11. General rules to be laid before Parliament.
12. Power to commissioners to summon witnesses, &c.
13. Power to commissioners to proceed upon affidavits, and to appoint persons to take affidavits and examinations.
14. Orders of commissioners may be enforced in England.
15. Commissioners to be a court of record, and have the jurisdiction of a court of equity, and may refer any inquiries, &c. to any one commissioner.
16. Where land or lease of land in Ireland is subject to incumbrance, owner may apply to commissioners for a sale.
17. Incumbrancer may apply to commissioners for sale for discharging the incumbrances.
18. No application to be entertained unless costs of any previous application paid.
19. Where lands or lease not to be deemed subject to incumbrance.
20. When incumbrance subject to limitations, the first person entitled, &c. to make application.
21. Commissioners, upon application for sale, may, after notices and hearing, direct a sale.
22. Commissioners not to make order for sale, on application by incumbrancer, where the interest and annual payments on charges do not exceed half the net income.
23. Tenancies, &c. to be ascertained. Sale may be made subject to an annual charge.
24. Sale to be under direction of commissioners. Execution by commissioners sufficient.
25. Payment of purchase-money.
26. Where an incumbrancer purchases, commissioners may authorise payment into the Bank of balance of purchase-money, after retaining amount of incumbrance.
27. Effect of assurance.
28. Saving of right of common, &c.
29. Commissioners may order delivery of counterparts of leases, &c., and possession to purchaser.
30. Application of purchase-money.
31. Money paid into Bank may be invested in the funds.
32. Appointment of new trustees.
33. No payment, not being in full, to affect right of incumbrancer for balance, and no payment in respect of any incumbrance to impair remedy over.
34. Commissioners may make provision as to incumbrances, charges, &c., to facilitate sales, &c. and distribution of purchase-money,
35. Power to commissioners to order money to be paid into Court of Chancery or Exchequer.
36. Lands included in different applications, and different interests in the same land, may be included in the same sale.
37. If land sold shall be subject to a lease, comprising other land, or if part of lease in perpetuity, &c. be sold, commissioners may apportion the rent.
38. Provision for persons under disability.
39. Proceedings not to abate by death, &c.
40. Costs.
41. Order for a sale under this act may be made notwithstanding pending suit or decree for sale.
42. After order by commissioners for sale, proceedings for a sale under decree to be stayed, and no suit, &c. to be commenced without leave of commissioners, pending proceedings under this act.
43. On application for sale of an undivided share, or after sale, commissioners may, on application of party interested, and giving notices and hearing parties, make order for partition.
44. On application for sale, or after sale, commissioners, on application of party interested, and with consent, may make order for exchange.
45. Partition may be made of land where shares are not subject to be sold under this act.
46. Exchanges may be made of lands not subject to be sold under this act.
47. Division of intermixed lands not subject to be sold under this act.
48. Notices of partitions, exchanges, and divisions to be given.
49. Conveyance, assignment, and orders for partition, exchange, or division and allotment, conclusive.
50. Proceedings before commissioners not to be restrained by injunction, &c. Commissioners not to be liable in respect of acts done bonâ fide.
51. Orders may be reviewed by commissioners. Appeal to Privy Council where allowed by commissioners.
52. Who to form the judicial committee.
53. Penalty for false swearing.
54. Construction of terms, &c. in this act: "land;" "estate;" "lease;" "lease in perpetuity;" "church or college lease;" "incumbrance;" "incumbrancer;" "possession;" "owner;" "person" and "owner;" "commissioners;" "commissioners of her Majesty's Treasury;" number.
55. Act to extend to Ireland only, &c.

CAP. LXXVIII.

An Act for the more effectual Taxation of Costs on private Bills in the House of Lords, and to facilitate the Taxation of other Costs on private Bills in certain Cases. [28th July, 1849.]

CAP. LXXIX.

An Act to facilitate the Execution of Conveyances and other Instruments by or on Behalf of the New Zealand Company in New Zealand. [1st August, 1849.]

CAP. LXXX.

An Act to repeal the Allowances on the Purchase of Stamps, and for the receiving and accounting for the Duties on Gold and Silver Plate, and to grant other Allowances in Lieu thereof. [1st August, 1849.]

CAP. LXXXI.

An Act to authorise her Majesty to issue a Commission to inquire into and report upon Rights or Claims over the New Forest, in the County of Southampton, and Waltham Forest, in the County of Essex. [1st August, 1849.]

CAP. LXXXII.

An Act to relieve Boroughs, in certain Cases, from Contribution to certain Descriptions of County Expenditure. [1st August, 1849.]

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CAP. LXXXIII.

An Act further to facilitate the Inclosure of Commons, and the Improvement of Commons and other Lands. [1st August, 1849.]

Sect. 1. New boundaries of parishes may be set out.
2. Persons having rights of common may be dealt with as a class.
3. Meetings for instructions.
4. Commissioners may complete proceedings under 6 & 7 Will. 4, c. 115.
5. Quit rents, chief rents, and heriots.
6. Balance of money raised by sale of land.
7. Exchange and partition of rights, &c.
8. Separate tracts.
9. Extending provisions of recited acts to the fixing boundaries under this act.
10. How persons exercising acts of ownership where rights suspended or extinguished, or allotments directed to be entered upon, may be proceeded against. Remedies independent of this provision to be unprejudiced.
11. Lands held under separate titles by the same person may be exchanged.
12. Recited acts deemed part of this act.

CAP. LXXXIV.

An Act for carrying into effect Engagements between her Majesty and certain Arabian Chiefs in the Persian Gulf for the more effectual Suppression of the Slave Trade. [1st August, 1849.]

CAP. LXXXV.

An Act to amend an Act for the Regulation of Municipal Corporations in Ireland, so far as relates to the Borough of Dublin. [1st August, 1849.]

CAP. LXXXVI.

An Act to provide additional Funds for Loans by the Public Works Loan Commissioners for building Workhouses in Ireland. [1st August, 1849.]

CAP. LXXXVII.

An Act to continue certain Turnpike Acts in Great Britain for limited Periods, and to make certain Provisions respecting Turnpike-roads in England. [1st August, 1849.]

CAP. LXXXVIII.

An Act to amend the Laws relating to Pilotage. [1st August, 1849.]

CAP. LXXXIX.

An Act to reduce the Number of Signatures required to Instruments issued by the Lords of the Treasury. [1st August, 1849.]

CAP. XC.

An Act to amend the Laws relating to the Customs. [1st August, 1849.]

CAP. XCI.

An Act to provide for the Collection of Rates in the City of Dublin. [1st August, 1849.]

CAP. XCII.

An Act for the more effectual Prevention of Cruelty to Animals. [1st August, 1849.]

CAP. XCIII.

An Act to amend the Metropolitan Sewers Act. [1st August, 1849.]

CAP. XCIV.

An Act for confirming certain Provisional Orders of the General Board of Health, and for other Matters relative to the Public Health and the Improvement of Towns and populous Places. [1st August, 1849.]

CAP. XCV.

An Act to amend the Law concerning Judgments in Ireland. [1st August, 1849.]

CAP. XCVI.

An Act to provide for the Prosecution and Trial, in her Majesty's Colonies, of Offences committed within the Jurisdiction of the Admiralty. [1st August, 1849.]

CAP. XCVII.

An Act for the Improvement of the City of Dublin. [1st August, 1849.]

CAP. XCVIII.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year 1849, and to appropriate the Supplies granted in this Session of Parliament. [1st August, 1849.]

CAP. XCIX.

An Act to encourage Endowment of Chapels of Ease, and facilitate Assignment of Pastoral Districts thereto; and to amend an Act of the Eighth Year of her present Majesty for Marriages in Ireland, and for registering such Marriages. [1st August, 1849.]

CAP. C.

An Act to promote the Advance of private Money for Drainage of Lands in Great Britain and Ireland. [1st August, 1849.]

CAP. CI.

An Act to amend the Act for the more easy Recovery of Small Debts and Demands in England, and to abolish certain Inferior Courts of Record. [1st August, 1849.]

Sect. 1. *To what Prisons Persons may be committed under recited Act, for Frauds, &c.*
2. *To what Prisons Persons may be committed under the said Act, for Contempt.*
3. *Where Debtors Prison is situated at an inconvenient Distance, or crowded, Secretary of State may authorise Commitment to House of Correction.*
4. *Gaols maintained by Lords of Liberties and private Persons not to be used without their Consent.*
5. *A Prison used under recited Enactment for any Riding, Parts, or Division of a County, to be deemed a Common Gaol for such Riding, Parts, or Division.*
6. *Power to Secretary of State, with Consent of the Treasury, to alter Fees payable on Proceedings in County Courts.*
7. *So much of recited Act* 9 & 10 *Vict. c.* 95, *as directs Clerk to pay over Monies to Treasurer repealed. Clerk to pay over his Balance as the Treasury may direct.*
8. *So much of* 9 & 10 *Vict. c.* 95, *as enacts that Clerks shall make all necessary Contracts, &c., repealed. Treasury to provide for the several Purposes, and defray the Expenses.*
9. *Providing for Payment of the Expenses incurred under* 10 & 11 *Vict. c.* 102, *and for applying the Surplus of General Fund of any Court to Expenses of any other Courts where such Fund is deficient.*
10. *Judge may authorise Bailiffs to act as Brokers.*
11. *So much of* 9 & 10 *Vict. c.* 95, *as requires Notice of her Majesty's Intention to make Order in Council repealed.*
12. *Lord Chancellor may authorise Five Judges of County Courts to make General Rules, such Rules to be approved by Judges of the Superior Courts, and laid before Parliament.*
13. *No Action or Suit to be brought in the Marshalsea or Palace Court or Peverll Court after the passing of this Act.*

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14. *Powers of Marshalsea and Palace and Peveril Courts to cease on the 31st December, 1849, and Actions and Suits then depending to be transferred to the Court of Common Pleas or the County Court, as the Case may require.*
15. *Judgments of abolished Courts obtained on or before the 31st December, 1849, may be enforced as heretofore.*
16. *Records of abolished Courts to be placed under the Charge of Master of the Rolls, under 1 & 2 Vict. c. 94.*
17. *Compensation to Officers of abolished Courts.*
18. *Attornies and Solicitors not exempt from the Provisions of this Act.*
19. *Act may be amended &c.*

Whereas by an act passed in the 9 & 10 Vict. [c. 95], intituled "An Act for the more easy Recovery of Small Debts and Demands in England," power is given to the judge in the cases therein mentioned to order that a party summoned in respect of an unsatisfied judgment or order, or a defendant in any suit, may be committed to the common gaol or house of correction of the county, district, or place in which such party or defendant is resident, or to any prison which should be provided as the prison of the court, for any period not exceeding forty days: and whereas it is inexpedient that persons should be committed under the said act to houses of correction: be it therefore enacted, &c., that from and after the 31st day of August, 1849, so much of the said act as authorises any judge to order any such party or defendant to be committed as hereinbefore mentioned shall be repealed; and it shall be lawful for any judge who would have been authorised under the said act to order any party or defendant to be committed as aforesaid for any such period as aforesaid, to order such party or defendant to be committed for the like period to the common gaol wherein the debtors under judgment and in execution of the superior courts of justice may be confined for the county, city, borough, or place in which such party or defendant is resident, or to any other gaol or debtors prison for the same county, city, borough, or place which shall, by any declaration of one of her Majesty's principal Secretaries of State, be allowed as a place of imprisonment for persons committed under the said act, so long as such declaration shall remain in force and unrevoked, or to any prison which has been or shall be provided as in the said act mentioned as the prison of the court by the judge of which such order may be made; and all the provisions of the said act applicable to and consequent upon the order for commitment under the power hereinbefore repealed, and to the prisons to which persons might be committed under such order, shall apply to and be construed with reference to any order made under the power hereinbefore contained, and the prisons to which persons may be committed under such order.

2. And whereas by the said act of the 9 & 10 Vict. [c. 95] it was enacted, that if any person should wilfully insult the judge, or any juror, or any bailiff, clerk, or officer of the court for the time being, during his sitting or attendance in court, or in going to or returning from the court, or should wilfully interrupt the proceedings of the court, or otherwise misbehave in court, the judge should be empowered, if he should think fit, by a warrant under his hand, and sealed with the seal of the court, to commit any such offender to any prison to which he had power to commit offenders under the said act for any time not exceeding seven days, or to impose upon any such offender a fine not exceeding 5*l.* for every such offence, and in default of payment thereof to commit the offender to any such prison as aforesaid for any time not exceeding seven days, unless the said fine were sooner paid: be it enacted, that from and after the 31st day of August, 1849, so much of the last-recited enactment as authorises the judge to commit any such offender to any such prison as therein mentioned shall be repealed, and in any case in which any judge would under such enactment have been authorised to commit any such offender to any such prison as therein mentioned for such period as therein mentioned, such judge shall be empowered, if he think fit, by warrant, as therein mentioned, to commit such offender for the like period to any common gaol wherein the debtors under judgment and in execution of the superior courts of justice may be confined for any county, city, borough, or place wholly or in part within any district of such judge, or to any other gaol or debtors prison for any such county, city, borough, or place which shall by declaration as aforesaid be allowed as a place of imprisonment for persons committed under the said act so long as such declaration shall remain in force and unrevoked or to any prison which has been or may be provided, as in the said act mentioned, as the prison of the court by the judge of which such offender shall be committed.

3. Provided always, and be it enacted, that where, by reason of any common gaol wherein debtors under judgment and in execution of the superior courts of justice may be confined being situated at an inconvenient distance, or of the crowded state of any such gaol, or otherwise, it shall appear to one of her Majesty's principal Secretaries of State expedient so to do it shall be lawful for such Secretary of State, by order under his hand, to authorise to be used for the purposes of commitment under the said act of the 9 & 10 Vict. [c. 95] any house of correction or common gaol in which such debtors as aforesaid may not be confined, (to be mentioned in such order), and to make orders for altering the regulations of such house of correction or gaol as last aforesaid, so far as respects the treatment of persons to be committed under this act, in order that such persons may be treated as nearly as may be in like manner as if they had been committed to a gaol in which such debtors as aforesaid may be confined, notwithstanding the regulations in force in such house of correction or gaol to which such person may be committed; and every such order may from time to time be revoked or varied by such Secretary of State as occasion may require.

4. Provided also, and be it enacted, that where, under the provisions hereinbefore contained, persons might be committed to any gaol or prison not now used for the purposes of the said act which by reason of the tenure of any liberty or franchise or otherwise, is maintained at the private charges of the lord of such liberty or franchise, or of any other private person, such gaol or prison shall not be used for the purposes of commitments under the said act until such lord or person as aforesaid shall have given his consent in writing to such gaol or prison being so used.

5. And whereas by the said act of the 9 & 10 Vict. [c. 95] it was enacted, "that it should be lawful for any court holden under that act, with the approval of one of her Majesty's principal Secretaries of State, to use as a prison for the purposes of that act any prison then belonging to any court holden under any of the acts cited in the Schedules (A.) and (B.) to that act, in all cases where it should appear to the said Secretary of State that the common gaol or house of correction of the county, district, or place in which the court was established was inconveniently situated, or was not applicable for the use of the said courts; and whenever any such prison should be so allowed to be used, it should be deemed one of the common gaols of the county for which it should be used, as if it had been provided after presentment of the insufficiency of one common gaol for such county under the provisions of an act passed in the 5 & 6 Vict. [c. 98], intituled 'An Act to amend the Laws concerning Prisons:'" and whereas a prison used under the said recited enactment for a division of a county may be deemed a gaol for the county at large: be it declared and enacted, that where a prison allowed to be used with the approval of such Secretary of State shall be so used for any riding, parts, or division of a county having a distinct commission of the peace, or a distinct rate in the nature of a county-rate applicable to the maintenance of a prison for such riding, parts, or division, (and not for the county at large), such prison shall be deemed one of the common gaols for the riding, parts, or division for which it is so used, (and not for the county at large), as if it had been provided after presentment of the insufficiency of one common gaol for such riding, parts, or division under the said act of the 5 & 6 Vict. [c. 98].

6. That it shall be lawful for one of her Majesty's principal Secretaries of State, with the consent of the Commissioners of her Majesty's Treasury, from time to time to regulate or vary, lessen or increase, the fees or sums in the name of fees now payable, or which from time to time may be payable, on the several proceedings in the courts holden under the said act of the 9 & 10 Vict. [c. 95] to the judges, clerks, and high bailiffs of such courts, and such fees or sums may be so regulated from time to time by way of per-centage on the amount of the demand; and such Secretary of State, with such consent as aforesaid, may from time to time appoint, instead of all or any of the fees or sums in the name of fees now payable or which may

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from time to time be payable as aforesaid, other fees or sums by way of per-centage or otherwise, and to be payable on such proceedings under such last-mentioned act as such Secretary of State, with such consent as aforesaid, may direct.

7. That so much of the said act of the 9 & 10 Vict. [c. 95] as directs that the clerk of every court holden under the said act shall pay over to the treasurer of the court, quarterly or oftener in every year, by order of the court, the monies remaining in his hands over and above his own fees, and such balance as he shall be allowed by order of the court to retain for the current expenditure of the court, shall be repealed; and the clerk of every court holden under the said act shall pay over to the treasurer of the Court, quarterly or oftener in every year, as he may be directed by the Commissioners of her Majesty's Treasury, the monies remaining in his hands over and above his own fees, and such balance as he shall be allowed by order of the said commissioners to retain for the current expenditure of the court.

8. That so much of the said act of the 9 & 10 Vict. [c. 95] as enacts that the clerk of every court, under the directions of the Commissioners of her Majesty's Treasury, and subject to such regulations as they may require to be enforced, shall make all necessary contracts or otherwise provide for repairing and furnishing, and for cleaning, lighting, and warming, the court-house and offices of such court, and for supplying the said court and offices with law and office books and stationery, and for defraying all other necessary expenses not otherwise provided for incident to the holding of the said court, and as provides that no payment for any charge shall be allowed in the clerk's accounts until allowed under the hand of the judge, shall be repealed; and it shall be lawful for the Commissioners of her Majesty's Treasury to provide for the several purposes and for defraying the several expenses aforesaid in such manner, and by the agency of such officers of the court, or otherwise, as to them shall seem fit.

9. That it shall be lawful for the Commissioners of her Majesty's Treasury, if they shall think fit, to direct that the whole or part of the expenses incurred or to be incurred in the performance of the duties required by the act passed in the 10 & 11 Vict. [c. 102], intituled "An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction in the Courts of Bankruptcy, and Court for Relief of Insolvent Debtors," to be performed by the officers of the courts established by the said act of the 10 & 11 Vict. [c. 102], shall be paid out of "The General Fund" of such respective courts, and that the surplus for the time being of the general fund of each such court, after defraying the expenses of such respective court, shall be applicable, under the directions of the said Commissioners of the Treasury, to the payment of the expenses of any other of the said courts of which the general fund may be insufficient for that purpose.

10. That it shall be lawful for the judge of any court holden under the said act of the 9 & 10 Vict. [c. 95], by any writing under his hand, to authorise any of the bailiffs appointed by the high bailiff under the said act to act as brokers or appraisers for the purpose of selling or valuing any goods, chattels, or effects taken in execution under the said act; and the bailiffs so authorised by the judge may, without other license in this behalf, do and perform all the duties and shall be entitled to the poundage which sworn brokers or appraisers may now do and perform and are entitled to under the said act.

11. That so much of the said act of the 9 & 10 Vict. [c. 95] as requires that notice of the intention of her Majesty to take into consideration the propriety of making any order in council for the purposes of the said act shall be published in the London Gazette one calendar month at least before any such order shall be made, shall be repealed.

12. That it shall be lawful for the Lord Chancellor to appoint and authorise five of the judges of the courts holden under the said act of the 9 & 10 Vict. [c. 95] to frame such general rules and orders as to them shall seem expedient for and concerning the practice and proceedings of the courts holden under the said act, and for the execution of the process of such courts, and in relation to any of the provisions of the said act as to which there may have arisen doubts or have been conflicting decisions in the said courts; and all such rules and orders as aforesaid as shall be certified to the Lord Chancellor, under the hands of the judges so appointed or authorised, or any three of them, shall be submitted by the Lord Chancellor to three or more of the judges of the superior courts of common law at Westminster, of whom the Chief Justice of the Court of Queen's Bench or Common Pleas, or the Chief Baron of the Court of Exchequer, shall be one; and such judges of the superior courts may approve or disallow, or alter or amend, such rules and orders, or any of them; and such of the rules as shall be so approved by such judges of the superior courts shall forthwith after the approval thereof be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not sitting, then within five days after the next meeting thereof; and no such rule or order shall have effect until six weeks after the same shall have been so laid before both Houses of Parliament; and any rule or order so approved shall from and after the expiration of such time as last aforesaid be of the same force and effect as if the same had been enacted by authority of Parliament.

13. And whereas it is expedient to abolish the Court of the Marshalsea of Household of the Kings of England, and the Court of our Lady the Queen of the Palace of the Queen at Westminster, and her Majesty's Court of Record for the Honour of Peveril and additional limits of the same: be it enacted, that from and after the passing of this act no action or suit shall be commenced in any of the said courts.

14. That from and after the 31st day of December, 1849, all the power, authority, and jurisdiction of the said Court of the Marshalsea, and of the said Court of the Palace of the Queen at Westminster, and of the said Court for the Honour of Peveril and additional limits of the same, and of the judges of the said courts respectively, shall cease and determine; and that all actions and suits then depending in the said courts respectively shall be transferred, with all the proceedings thereon, to her Majesty's Court of Common Pleas at Westminster, if the debt or damages sought to be recovered in such actions or suits respectively shall exceed the sum of 20*l.*, and to the county court for the district in which the respective defendants shall then reside, if the debt or damages sought to be recovered in such actions or suits respectively shall not exceed the sum of 20*l.*; and such actions and suits so transferred shall be dealt with and decided according to the practice of those courts respectively, or of the court whence the same shall be transferred, according to the discretion of the court to which the same shall be transferred, which court shall, for the purpose of such actions or suits only, be deemed and taken to have all the power and jurisdiction to all intents and purposes possessed before the passing of this act by the court whence such action or suit shall be transferred.

15. Provided always, and be it enacted, that all judgments obtained in any of the courts hereby abolished on or before the 31st day of December, 1849, shall, notwithstanding the passing of this act, be as valid and effectual, and as capable of being enforced by the process of the court in which such judgments shall respectively have been obtained, as if this act had not been passed.

16. That the records, muniments, and writings of the several courts abolished by this act shall, as soon as conveniently may be after the 31st day of December, 1849, be placed under the charge and superintendence of the Master of the Rolls for the time being, to be deposited and kept in such place or places as the said Master of the Rolls shall direct; and such records, muniments, and writings shall thenceforth be deemed to be in the custody of the Master of the Rolls under the authority of an act passed in the 1 & 2 Vict. [c. 94], intituled "An Act for keeping safely the Public Records;" and, until such records, muniments, and writings shall be so placed under the charge and superintendence of the said Master of the Rolls as aforesaid, the same shall be respectively kept by the same persons and in the same places as before the passing of this act.

17. That every person who is legally entitled to any franchise or office in any of the courts abolished by this act shall be entitled to make a claim for compensation to the Commissioners of her Majesty's Treasury within six calendar months after the passing of this act, and it shall be lawful for the said commissioners, in such manner as they shall think fit, to inquire what was the nature of the office, and what was the tenure thereof, and what were the lawful fees and emoluments in respect of which such compensation should be allowed; but any increase of such fees or emoluments which shall have hap-

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pened after the passing of the said act of the 9 & 10 Vict. [c. 95] shall not be taken into account in estimating the amount of such compensation; and the commissioners in each case shall award such gross or yearly sum, and for such time, as they shall think just to be awarded, upon consideration of the special circumstances of each case; and all such compensations shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland: provided always, that if any person holding any office in any of the said courts shall be appointed after the passing of this act to any public office or employment, the payment of the compensation awarded to him under this act, so long as he shall continue to receive the salary or emoluments of such office or employment, shall be suspended, if the amount of such salary or emoluments be greater than the amount of such compensation, or, if not, shall be diminished by the amount of such salary or emoluments.

18. That no privilege shall be allowed to any attorney, solicitor, or other person, to exempt him from the provisions of this act or the said "Act for the more easy Recovery of Small Debts and Demands in England."

19. That this act may be amended or repealed by any act to be passed in this session of Parliament.

CAP. CII.

An Act to authorise the Sale of the Royal Pavilion at Brighton, and the Grounds thereof, and to apply the Money arising from such Sale. [1st August, 1849.]

CAP. CIII.

An Act to continue an Act of the last Session of Parliament, for charging the Maintenance of certain poor Persons in Unions upon the common Fund, and to make certain Amendments in the Laws for the Relief of the Poor. [1st August, 1849.]

CAP. CIV.

An Act to amend the Acts for the more effectual Relief of the destitute Poor in Ireland. [1st August, 1849.]

CAP. CV.

An Act for converting the renewable Leasehold Tenure of Lands in Ireland into a Tenure in Fee. [1st August, 1849.]

(*To be continued*).

London Gazettes.

TUESDAY, September 18.

BANKRUPTS.

JAMES REED, Bermondsey-street, Southwark, Surrey, hop merchant, Sept. 26 at 2, and Oct. 31 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Messrs. Russell, Martin's-lane, Cannon-st.—Fiat dated Sept. 10.

SAMUEL MARTIN, Poole and Parkstone, Dorsetshire, salt and fish merchant, dealer and chapman, Sept. 27 and Oct. 29 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham: Sols. Aldridge, Poole; Skilbeck & Hall, Southampton-buildings.—Fiat dated Sept. 15.

WILLIAM TOWNLEY, Bristol, slate merchant, ship broker, and beer retailer, Oct. 2 and 30 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Day, Bristol.—Fiat dated Sept. 11.

JOHN KING, Liverpool, licensed victualler, dealer and chapman, Oct. 1 and 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Grocott, Liverpool; Johnson & Coy, Temple, London.—Fiat dated Sept. 11.

THOMAS REED, North Shields, Northumberland, banker, Oct. 1 at half-past 10, and Oct. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Fiat dated Sept. 13.

MEETINGS.

Tottenham Lee, Wakefield, Yorkshire, worsted yarn manufacturer, Oct. 2 at 11, District Court of Bankruptcy, Leeds, pr. d.—*Robert Knowles*, Great Bolton, Lancashire, collier, Oct. 9 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Oct. 10 at 11, fin. div.—*Sarah Whitehouse*, *Edwin Whitehouse*, and *Alfred Whitehouse*, Newland, Gloucestershire, and Monmouth, tin-plate manufacturers, Oct. 9 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*H. Moseley* and *James Brabazon Murphy*, Derby, carvers, Oct. 12 at 11, District Court of Bankruptcy, Nottingham, aud. ac. and div. sep. est. of *H. Moseley*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Viner and *Henry Viner*, Bristol, brewers, Oct. 9 at 11, District Court of Bankruptcy, Bristol.—*Joseph Jackson*, Talwrn Esclasham Above, near Wrexham, Denbighshire, farmer, Oct. 9 at 12, District Court of Bankruptcy, Liverpool.—*Robert Murray*, Liverpool, woollendraper, Oct. 9 at 12, District Court of Bankruptcy, Liverpool.—*William Clif*, Northwich, Cheshire, draper, Oct. 10 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Perkins*, Devonport, Devonshire, cabinet maker, Oct. 13 at 2, District Court of Bankruptcy, Exeter.—*John Bearne Davis*, Newton Abbott, Devonshire, ironmonger, Oct. 13 at 2, District Court of Bankruptcy, Exeter.—*Thomas Wright*, Longton, Stoke-upon-Trent, Staffordshire, grocer, Oct. 11 at 12, District Court of Bankruptcy, Birmingham.—*John Rann* the younger, Dudley, Worcestershire, printer, Oct. 11 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 9.

John Barlow, Wenlock Iron Wharf, Wharf-road, City-road, Middlesex, engineer.—*Charles Hall*, Uxbridge, Middlesex, grocer.—*Edward Brown*, Ixworth, Suffolk, innkeeper.—*John Davies*, Dudley Port, Staffordshire, ironmaster.—*William Ker*, New-inn-yard, Tottenham-court-road, Middlesex, cabinet maker.—*Thomas Binning*, Pulford-street, Pimlico, Middlesex, victualler.—*Geo. Bate*, Wolverhampton, Staffordshire, joiner.

PARTNERSHIPS DISSOLVED.

Edward Cope and *Edward Chaulter Faulkner*, Manchester, attornies, solicitors, and conveyancers, (under the firm of Cope & Faulkner).—*William Fawcett*, Yarm, Yorkshire, *George Octavius Wray*, Stokesley, Yorkshire, and *William Garbutt*, deceased, Yarm and Stokesley, Yorkshire, attornies and solicitors, (under the firm of Garbutt, Fawcett, & Wray).

SCOTCH SEQUESTRATIONS.

John M'Master, Glasgow, provision dealer.—*Thomas Miller*, Edinburgh, sharebroker.—*Balfour & Co.*, Dundee, merchants.—*Robert Ogston Young*, minister at Fortrose, Rossshire.—*George Schevix*, Glasgow, merchant.—*John Alexander Tod*, deceased, Glasgow, accountant.—*Alexander Baillie Biggs*, Glasgow, contractor.—*David Arnott*, Bridgend, Perth, merchant.—*George Kippen*, Glasgow, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Gaskell, Horwich, Lancashire, veterinary surgeon, Sept. 28 at 12, County Court of Lancashire, at Little Bolton.—*Fred. Musson*, Willoughby, near Rugby, Warwickshire, carrier, Sept. 29 at 10, County Court of Warwickshire, at Rugby.—*C. F. W. L. Cliffe*, Cheltenham, Gloucestershire, author, Oct. 16 at 10, County Court of Gloucestershire, at Cheltenham.—*G. N. Barnes*, Lyndhurst, Hampshire, farmer, Sept. 29 at 10, County Court of Hampshire, at Southampton.—*Wm. Cotton*, Oldham, Lancashire, carder, Sept. 28 at 12, County Court of Lancashire, at Oldham.—*Jas. Harris*, Aldsworth, Gloucestershire, wheelwright, Oct. 12 at 11, County Court of Gloucestershire, at Northleach.—*John Fickling*, Brandon, Suffolk, cattle dealer, Sept. 25 at 2, County Court of Norfolk, at Thetford.—*Wm. Liddle*, Hawkhurst, Kent, farming labourer, Sept. 22 at 10, County Court of Kent, at Tenterden.—*Henry Whitehead*, Eastham, Cheshire, fruiterer,

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Sept. 24 at 10, Liverpool District County Court, at Liverpool.—*John H. Sammond*, Bootle, near Liverpool, bookkeeper, Sept. 24 at 10, Liverpool District County Court, at Liverpool.—*John A. Phipps*, Liverpool, paper stainer, Sept. 24 at 10, Liverpool District County Court, at Liverpool.—*Thos. Francis*, Topsham, Devonshire, tailor, Sept. 29 at 10, County Court of Devonshire, at Exeter.

Saturday, Sept. 15.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Geo. Rutherford, Albany, Piccadilly, Middlesex, student at law: in the Queen's Prison.—*John Brown*, Oxford-street, Middlesex, surveyor: in the Debtors Prison for London and Middlesex.—*Samuel Beswick*, Pingsworth-cottages, Black's-road, Hammersmith, Middlesex, builder: in the Queen's Prison.—*Rich. Botting*, Dorking, Surrey, plumber: in the Gaol of Surrey.—*James Russell*, Hercules-buildings, Lambeth, Surrey, cork cutter: in the Debtors Prison for London and Middlesex.—*Wm. Tooth*, Broad-street, Lambeth, and Vauxhall-walk, near Vauxhall-gardens, Surrey, engineer: in the Debtors Prison for London and Middlesex.—*T. Robinson*, Fountain-place, City-road, Middlesex, brassfounder: in the Debtors Prison for London and Middlesex.—*John Beadell*, Aldersgate-street, London, tile manufacturer: in the Debtors Prison for London and Middlesex.—*W. Wright*, Bridge-road, Lambeth, Surrey, ginger beer maker: in the Gaol of Surrey.—*Joseph James*, Stamford-hill, St. John's, Hackney, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Wm. Booth*, Wolstenholme Fold, Spotland, near Rochdale, Lancashire, coal proprietor: in the Gaol of Lancaster.—*Robt. Brown*, Liverpool, manager to a licensed victualler: in the Gaol of Lancaster.—*Rich. Johnstone*, Wray, near Lancaster, labourer in a silk mill: in the Gaol of Lancaster.—*J. Simes*, Preston, Lancashire, tailor: in the Gaol of Lancaster.—*Francis Winnington*, Chorlton-upon-Medlock, Manchester, beer retailer: in the Gaol of Lancaster.—*James Sparrow*, Oxford, draper: in the Gaol of Oxford.—*Geo. E. N. Nugent*, Folkestone, Kent, in no business: in the Gaol of Maidstone. *William F. Percevell*, York, tallowchandler: in the Gaol of York.—*John Buckley*, Rushcroft, Crompton, near Oldham, Lancashire, warehouseman: in the Gaol of Lancaster.—*Edw. Pilbrow*, Whitton, Shropshire, artist: in the Gaol of Shrewsbury.—*Joseph Turner*, Torquay, Devonshire, victualler: in the Gaol of St. Thomas the Apostle.—*Peter Mackley*, Hulme, Manchester, painter: in the Gaol of Lancaster.—*John Henry Atkins*, Oxford, cabinet maker: in the Gaol of Oxford.—*James Knight*, Manchester-st., Manchester-sq., and Adam-street East, Portman-st., Portman-sq., Middlesex, broker: in the Gaol of Bodmin, Cornwall.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Oct. 2 *at* 10, *before Mr. Commissioner* LAW.

Charles J. Delvalle, Lawn-place, South Lambeth, Surrey, money agent.—*Joseph Feather*, Mayfield-street, Dalston, Middlesex, undertaker.—*James Fagan*, Pool-st., New North-road, Hoxton, Middlesex, painter.—*Wm. Cooper*, Hadley, near Barnet, Middlesex, railway sub-contractor.

Oct. 2 *at* 10, *before Mr. Commissioner* PHILLIPS.

Wm. Hayward, Bedford-pl., Commercial-road East, Mile-end Old-town, Middlesex, bonnet-shape maker.—*Samuel Godfrey*, Curtain-road, Shoreditch, Middlesex, bonnet-shape maker.—*Samuel Taverner*, Upper Berkeley-street West, Paddington, Middlesex, fruiterer.—*Charles Wm. Plunkett*, Gloucester-st., Queen-sq., Bloomsbury, Middlesex, foreman to a ladies' boot and shoe manufacturer.—*Stephen W. Cooper*, New Church-st., Marylebone, Middlesex, exporter and importer of fancy goods.

Oct. 3 *at* 10, *before the* CHIEF COMMISSIONER.

George Brixey, Moore-street, Cadogan-terrace, Sloane-st., Chelsea, Middlesex, out of business.—*Charles Gill*, Devereux-court, Strand, Middlesex, grocer.

Oct. 3 *at* 10, *before Mr. Commissioner* HARRIS.

Peter Glass, Bermuda-st., Stepney, Middlesex, tin-plate worker.

Oct. 3 *at* 10, *before Mr. Commissioner* LAW.

John Brown, Oxford-st., Middlesex, out of business.

Oct. 3 *at* 10, *before Mr. Commissioner* PHILLIPS.

Matthew Jordison, Long-lane, Bermondsey, Surrey, harness maker.—*Francis T. Gell*, Lansdowne-terrace, Francis-street, Walworth, Surrey, attorney at law.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cornwall, at BODMIN, *Oct.* 3 *at* 10.

W. Lawry, Gulval, farmer.—*Francis Treweek*, Camelford, innkeeper.—*James Knight*, Manchester-st., Manchester-sq., and Adam-street East, Portman-st., Portman-sq., Middlesex, broker.

At the County Court of Kent, at MAIDSTONE, *Oct.* 2.

George E. N. Nugent, Folkestone, in no business.

At the County Court of Herefordshire, at HEREFORD, *Oct.* 11.

John Bromage, Hardwicke, Eard Island, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Davis, Buckingham, out of business, Sept. 24, Cole's, Buckingham: 6*s.* 2*d.* in the pound, (in addition to a former one of 3*s.* 5*d.*)

FRIDAY, SEPTEMBER 21.

BANKRUPTS.

THOMAS SHAW, Wolverhampton, Staffordshire, victualler, Oct. 2 and Nov. 6 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Riley, Wolverhampton; Smith, Birmingham.—Fiat dated Sept. 13.

GEORGE WEBB, Tamworth, Staffordshire, wine merchant and commission agent, dealer and chapman, Oct. 13 and Nov. 7 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Ward, Stafford; Smith, Birmingham.—Fiat dated Sept. 11.

JOHN HOGAN, Hakin, Milford Haven, Pembrokeshire, shipwright, dealer and chapman, Oct. 9 and Nov. 6 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Morgan, Haverfordwest; Whittington & Gribble, Bristol.—Fiat dated Aug. 28.

JOHN DALE HARWOOD, Liverpool, ironmonger, dealer and chapman, Oct. 3 and Nov. 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Brabner & Son, Liverpool; Chester & Co., Staple-inn, London.—Fiat dated Sept. 15.

MEETINGS.

Robert Jones, Castle-street, Holborn, London, commission agent, Oct. 1 at half-past 12, Court of Bankruptcy, London, last ex.—*Charles States*, Newcastle-upon-Tyne, innkeeper, Oct. 1 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Patrick F. M'Kenna*, Egremont, Cheshire, wine merchant, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, last ex.—*J. Dredge*, Bath, Somersetshire, brewer, Oct. 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Joseph Hall* and *Richard Hall*, Elton, Bury, Lancashire, bobbin turners, Oct. 15 at 12, District Court of Bankruptcy, Manchester, aud. ac. and div.—*Thos. Bamford*, Little Town, Wardle, Rochdale, Lancashire, woollen manufacturer, Oct. 16 at 11, District Court of Bankruptcy, Manchester, aud. ac.; Oct. 17 at 11, div.—*Thomas Coates*, Sunderland, Durham, wine merchant, Oct. 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Barraclough* and *John Everitt*, Southowram, Halifax, Yorkshire, woollen spinners, Oct. 11 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Oct. 12 at 11, div.—*John Leedham*, Northowram, Yorkshire, innkeeper, Oct. 11 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Henry Cook*, Studley, Warwickshire, needle manufacturer, Oct. 13 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Forster Cotterill* and *William Henry Hill*, Walsall, Staffordshire, merchants, Oct. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Walter Hall*, Kington, Herefordshire, miller, Oct. 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Oct. 25 at 12, div.—*William Slater*, Marton, Whitegate, Cheshire,

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banker, Oct. 19 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*John Bangley Prichard* and *James Robins Croft*, Liverpool, oil merchants, Oct. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Oct. 17 at 11, div.—*Richard Boucher*, Liverpool, shoe manufacturer, Oct. 16 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Jackson*, Talwrn Esclasham Above, near Wrexham, Denbighshire, farmer, Oct. 16 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*James Irvine*, Liverpool, salt broker, Oct. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Bickerton*, Newtown, Montgomeryshire, flannel manufacturer, Oct. 16 at 12, District Court of Bankruptcy, Liverpool, and. ac.; Oct. 17 at 12, div.—*J. Wilcox*, Little Bell-alley, Moorgate-street, London, tailor, Oct. 13 at 11, Court of Bankruptcy, London, div.—*Thos. Barrett*, Oxford, timber merchant, Oct. 15 at 12, Court of Bankruptcy, London, div.—*James Gilbert*, St. Luke's, Middlesex, ironfounder, Oct. 15 at half-past 11, Court of Bankruptcy, London, div.—*James Nutter*, Cambridge, miller, Oct. 15 at 1, Court of Bankruptcy, London, fin. div.—*Richard S. Roach*, Cateaton-street, London, silk manufacturer, Oct. 15 at half-past 11, Court of Bankruptcy, London, div.—*Sarah Whitehouse*, *Edwin Whitehouse*, and *Alfred Whitehouse*, Newland, Gloucestershire, and Monmouth, tin-plate manufacturers, Oct. 11 at 11, District Court of Bankruptcy, Bristol, div.—*Wm. Sarginson* and *Matthew Rigby*, Bury, Lancashire, joiners, Oct. 15 at 12, District Court of Bankruptcy, Manchester, div.—*Wm. Harris* and *Henry Harris*, Wrexham Paper-mills, Denbighshire, paper manufacturers, Oct. 17 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *Wm. Harris*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

David Nunn Fisher, Lynn Regis, Norfolk, music seller, Oct. 13 at 1, Court of Bankruptcy, London. — *Samuel Forke*, Cambridge, upholsterer, Oct. 13 at half-past 11, Court of Bankruptcy, London.—*Samuel Prentice*, Slough, Buckinghamshire, ironmonger, Oct. 20 at 11, Court of Bankruptcy, London.—*Joseph Ellis*, Pontypool, Monmouthshire, dealer in wines, Oct. 19 at 11, District Court of Bankruptcy, Bristol.—*John Wright*, Northampton and Hardingstone, Northamptonshire, corn merchant, and Birmingham, Warwickshire, baker, Oct. 13 at 12, Court of Bankruptcy, London.—*Wm. Eddison*, Rastrick, Halifax, Yorkshire, fancy woollen manufacturer, Dec. 4 at 11, District Court of Bankruptcy, Leeds.—*Wm. Ramsden*, Wakefield, Yorkshire, painter, Oct. 11 at 11, District Court of Bankruptcy, Leeds.—*John Hickson*, Eccleshill, Bradford, Yorkshire, apothecary, Oct. 11 at 11, District Court of Bankruptcy, Leeds. — *Richard Boucher*, Liverpool, shoe manufacturer, Oct. 15 at 11, District Court of Bankruptcy, Liverpool.—*Jeremiah Smith*, Rugeley, Staffordshire, scrivener, Oct. 16 at 12, District Court of Bankruptcy, Birmingham.—*Robert Raby*, Preston, Lancashire, hatter, Oct. 11 at 12, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 12.

Thomas Tindle, South Shields, Durham, banker.—*Thomas Procter*, Preston, Lancashire, spindle maker.—*Benj. Wright*, Coalbrook-dale, Madeley, Shropshire, coach proprietor.—*J. Worthy*, Hartlepool, Durham, builder.

PARTNERSHIP DISSOLVED.

William Roberts Harris and *Thomas John Winter*, Essex-street, Strand, Middlesex, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

David Leslie, Glasgow, baker.—*John Chas. Bell*, Dundee, merchant.—*Robert Allan*, Edinburgh, stockbroker.—*Archibald Macpherson*, Inverness, hotel keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas G. Blocksidge, Madeley, Shropshire, plumber, Oct. 6 at 10, County Court of Shropshire, at Madeley.—*Thomas Haigh*, Huddersfield, Yorkshire, hatter, Oct. 11 at 10, County Court of Yorkshire, at Huddersfield.—*Eli Gledhill*, Longwood, Huddersfield, Yorkshire, weaver, Oct. 11 at 10, County Court of Yorkshire, at Huddersfield.—*William Caldicott*, Oldbury, Worcestershire, engineer, Sept. 26 at 2, County Court of Staffordshire, at Oldbury.

INSOLVENT DEBTOR'S DIVIDEND.

Richard Kelly, Noreland-place, Kensington, Middlesex, schoolmaster, Atkins & Andrew's, 5, White Hart-court, Lombard-street: 10½*d.* in the pound.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Joseph Mason, of York; Frederick William Jacomb, of Huddersfield, Yorkshire.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—Robert Wreford, of Exeter, in and for the city and county of the city of Exeter, also in and for the county of Devon; Ashley Maples, of Spalding, in and for the parts of Holland, in the county of Lincoln, also in and for the parts of Kesteven, in the same county.

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The House of Lords, in entertaining bills for annulling marriages, on the ground of abduction, or of their having been procured by force or undue pressure, is generally supposed to be acting, if not strictly in its judicial character, at least upon judicial grounds, so that it regulates itself by the principles on which such bills have been previously entertained.

This being so, we have been much struck by the perusal of a case reported in the last number of Clark & Finnelly's Reports, (*Field's Marriage Annulling Bill*, Vol. 2, N. S., 48), in which the House of Lords rejected a divorce bill under circumstances which we should have thought made a case as strong as was ever brought before their Lordships' House.

The lady, Miss Field, was the daughter of a deceased gentleman, under whose will she was entitled to a fortune worth about 25,000*l*., or rather more; she was only eighteen at the time of the marriage, and was under the actual guardianship of a Mr. John Brown, a farmer and brewer, one of her father's executors. Mr. John Brown had a brother, Samuel Brown, fifty-two years old, who had been a lady's butler, and came to reside with his brother John, assisting him in his business. It does not appear in what station of life Miss Field's father had been; but, as it did appear that she had known the Browns all her life, it must be presumed that his rank in life was not such as to prevent him treating them as associates. Under these circumstances, the young lady treated Samuel Brown naturally with the familiarity due to the brother of her guardian, and in the manner in which a young girl of eighteen would treat a man old enough to be her father. In her evidence she says that she looked upon him the same as her guardian. Accordingly they rode and walked together, and were much in each other's society. After a short time Samuel Brown availed himself of these opportunities to make her an offer of marriage, which she declined of course, with considerable surprise at it having been made. Her own expression is, "that she laughed at him." He did not, however, relinquish the pursuit, but pressed her continually. At length she told him, that, in addition to her disinclination to marry him personally, she had another and more insuperable objection, viz. that she was attached to another man, a Mr. Montague Smith, the son of a gentleman who had been the sole and intimate friend of her father, and at whose house she had been a frequent guest. Samuel Brown then resorted to attempts to terrify her, and threatened, if she did not marry him, not only to kill himself, but to injure the young man to whom she was attached. All this brought her into so agitated a state of mind that at length she yielded, and on the 18th June (being, as she stated in her evidence, in so excited and bewildered a state of mind that she scarcely knew what she did) she consented to marry Samuel Brown, and they were married on the 19th. She, however, never lived with her husband; and evidence was tendered (if necessary) to prove that the marriage had not been consummated. At the end of six days, during which period the marriage was not made known to any one, she went to the house of Mr. Smith, and then informed his son Montague of the marriage, and how it had been brought about. So far all the evidence is to shew a case of gross fraud and pressure, and a total want of all substantial consent. The only positive evidence to the contrary was that of the clerk of the parish, who said Miss Field went through the ceremony with coolness; that of the clerk's

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wife, who proved that the marriage luncheon, at which no one but Brown and the lady were present, was eaten, but by whom she did not know; and that of the clergyman, who merely proved that the parties had certified the correctness of the entry in the registry, whereas such entry was not, it appeared, correct; and the only inferential evidence was the fact of Miss Field not having spoken to her guardian or his wife, and having remained for six days before she communicated the marriage to Mr. Smith. Under these circumstances, the House of Lords thought there was not enough to support the bill, and it was accordingly withdrawn.

Now, certainly, unless the rule is, that nothing short of dragging a woman by main force, or under the influence of *immediate* terror, to the altar, will be sufficient, this seems a most extraordinary decision. There were all the ingredients of a marriage forced upon a minor of weak intellect, by that degree of fraud and pressure which amounts to the exclusion of all notion of free consent in the woman: she was without guidance, except that of a guardian, who, by even permitting a person, in such a station of life as that of his brother, to be an inmate of his house, grossly neglected his duty, and was, in fact, her enemy, instead of her guardian. That she was weak, to a degree just short of imbecility, is obvious; for what girl not so weak could have been worked upon by such threats, from such a person, in the way the evidence shewed that she was? That, upon the face of them, Samuel Brown's threats were absurd, would have been obvious to any young woman not thoroughly bewildered and mystified. She appears, indeed, from the evidence, to have been put, by the continual harassment and terror to which Brown subjected her, much in the state that is described by travellers as that of birds under the fascination of the rattle-snake. Her evidence shews a vacillation of mind, a terror so absolutely childish, and at the same time so absolutely paralysing, that it is of itself, if she was to be believed, (and there was nothing whatever to shake her credit), conclusive proof, as we humbly conceive, of that degree of weakness in her, and that degree of pressure on the part of Brown, that bring her case, as closely as it is possible to imagine, within the doctrine of *Miss Turner's case*. There was not a particle of evidence to shew that Brown was a man of a character to be, at the age of fifty-two, passionately in love, or to intend really to shoot either himself or Mr. Smith. In the absence of any such evidence, it is, of course, to any cool and moderately strong mind, obvious that he never did intend anything of the kind; that the young lady must have been weak and excitable to a very high degree to have believed him; and that he well knew her weakness, and practised upon it by these very threats. In other words, that his threat to kill himself and Mr. Smith was as gross and deliberate a fraud as the statements made by Mr. Wakefield, with reference to the bankruptcy of Miss Turner's father, were in her case.

The judgment or opinion delivered by Lord Devon*, in the present case, is most unsatisfactory, as it gives no reasons, and leaves it quite uncertain, on what ground he advised the bill to be rejected.

We can only repeat, that if, in such a case, the Legislature will not interfere, it is most difficult to imagine a case, delivered from the presence of actual force or immediate intimidation, in which it will interfere.

* His Lordship is stated, in the report, to have been the only law Lord present after the first day, and during the summing up of the evidence. It is not quite correct, we apprehend, to describe his Lordship as a law Lord. A law Lord is generally understood to be one who has owed his elevation to his distinction as a lawyer—not merely a peer who has practised the law. Lord Devon was, it is true, bred a lawyer, practised in early life not without success; but we believe Lordship never attained any higher office than that of a Mas in Chancery; and his peerage—an ancient one—he inhe descent.

PUBLIC GENERAL STATUTES.

12 & 13 Victoriæ.—Session 2.

(*Continued from p.* 360).

CAP. CVI.

An Act to amend and consolidate the Laws relating to Bankrupts. [1st August, 1849.]

1.—General Provisions.

Sect. 1. *Certain Acts and Parts of Acts repealed.*
2. *Short Title of this Act.*
3. *Act not to extend to Scotland or Ireland.*
4. *Act to commence on the 11th October*, 1849; *Fiat abolished, and all Procedure to obtain Adjudication in Bankruptcy, &c. to be under the Provisions of this Act. Joint-stock Companies Winding-up Act*, 1848, *&c. not to be affected.*
5. *In construing former Acts, &c., with Reference to Petition for Adjudication under this Act, Fiat, &c. to be deemed to have issued at the Time of filing Petition.*

2.—Constitution of the Court, &c.

6. *The Court of Bankruptcy continued for the Purposes of this Act, and to continue a Court of Record, &c.*
7. *Number of Commissioners acting in London to be reduced to Four.*
8. *Commissioners may make Rules, subject to Lord Chancellor's Approval.*
9. *Limits of the Bankruptcy Districts. Country Districts may be altered or increased.*
10. *Sittings of the Court.*
11. *Lord Chancellor may attach the Commissioners, by acting in the Country to such Districts as he shall think fit, &c.*

3.—Jurisdiction, Primary and Appellate.

12. *Primary Jurisdiction of the Court, with Appeal to Vice-Chancellor.*
13. *Vice-Chancellor sitting in Bankruptcy to be a Court of Record, &c.*
14. *Appeals to be brought on by Petition, Motion, or Special Case.*
15. *Vice-Chancellor may direct Question of Fact to be decided by a Jury. New Trial may be moved for.*
16. *Decisions, &c. of Vice-Chancellor to be subject to Appeal to Lord Chancellor in certain Cases.*
17. *Appeals, &c. to be entered in Office of Chief Registrar, &c.*
18. *Appeal to the House of Lords.*
19. *Lord Chancellor, during Illness, &c. of any Commissioner, may direct another Commissioner to act.*
20. *During Vacation, &c., any Commissioner acting in London may act for Senior Commissioner.*
21. *Courts to be auxiliary to each other for Proof of Debts and taking Examinations.*
22. *Power of Commissioners named in Fiats issued on Petitions prior to the 11th November*, 1842, *to cease, and Petitions to be removed into Court.*
23. *Proceedings, &c. in the Country to be transmitted to Chief Registrar.*
24. *Sealing and Signature of Warrants, &c.*
25. *Records, Proceedings, &c. to be sealed.*

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4.—Of the Registrars.

Sect. 26. *Number of Registrars acting in London to be reduced to Four.*
27. *In Case of Illness, &c. of Commissioner, Registrar may act for him, &c., except in certain Cases.*
28. *Court may direct Registrar to take Proof of Debts, &c.*
29. *Chief Registrar to provide Seals.*
30. *Registrars may act for each other, &c.*

5.—Of the Accountant.

31. *Accountant to have Superintendence, &c. of Funds. Salary of Accountant to be in lieu of all Fees, &c.*
32. *Names of Accounts to be changed.*
33. *Accounts kept at the Bank of England, called "The Bankruptcy Fund Account" and "Chief Registrar's Account," to be subject to the Orders of the Lord Chancellor.*
34. *Securities may be purchased.*
35. *Lord Chancellor may order Securities purchased to be sold in certain Cases.*
36. *Returns to Parliament to be made by Accountant.*

6.—Of the Master.

37. *Duties.*

7.—Of the Official Assignees.

38. *Official Assignees to give Security, &c.*
39. *Their Duty.*
40. *To act as sole Assignee till Creditors' Assignees chosen, and may sell or otherwise dispose of Property of a perishable Nature, &c. Not to interfere with Creditors' Assignees in Appointment, &c. of Solicitor, &c.*
41. *Official Assignee not personally liable for Acts done in Execution of his Duty.*
42. *Court may appoint another Official Assignee on Death, &c.*
43. *Power to appoint Official Assignee to act with the existing Assignees under old Fiats.*
44. *Remuneration to Official Assignee.*
45. *Returns by Official Assignees.*

8.—Of the Messengers.

46. *Number of Messengers acting in London to be reduced to Four.*

9.—Officers' Exemptions.

47. *Officers, &c. exempt from serving on Juries, &c.*

10.—Of Fees.

48. *Certain Documents to be written on stamped Vellum, &c., in lieu of Fees.*
49. *Commissioners of Inland Revenue to give the necessary Directions, to keep separate Accounts, &c., and to pay over Monies received to Bank of England.*
50. *Commissioners of Inland Revenue may appoint Persons for Sale and Distribution of Stamps, and make Allowance for spoiled Stamps.*
51. *Provisions of former Acts relating to Stamps to be applied to the Stamps to be provided under this Act.*
52. *Documents not to be received unless a Stamp be impressed.*
53. *Charge for Office Copies.*
54. *Payment of Per-centage by Official Assignees, &c.*
55. *If Securities at any Time insufficient to answer the Demands of any Bankrupt, &c., the Sum taken for the Purposes of this Act to be made good by Parliament.*

11.—Of Salaries, &c.

56. *Salaries of Commissioners, Officers, &c.*
57. *Compensations and Annuities under former Acts continued.*
58. *Monies paid to "The Chief Registrar's Account" to be subject to certain Orders heretofore made, and to such Orders as may from Time to Time be made by Lord Chancellor or by the Commissioners Trustees of the Court in Basinghall-street.*
59. *Accounts for Stationery, &c. to be audited, &c.*

12.—Of the Buildings for holding the Court.

60. *Court of Bankruptcy in Basinghall-street to vest in London Commissioners.*
61. *Building to continue to be called "The Court of Bankruptcy," &c.*
62. *Such Building to be under the Direction of London Commissioners.*
63. *Lord Chancellor may order Repayment of Sums advanced by Treasury for the Purchase of such Building; and "The Chief Registrar's Account" to be thereafter subject to Orders of Trustees for Expenses, &c.*
64. *Buildings in which Country Courts are held to vest in the Commissioners of such Courts respectively.*

13.—Of the Persons liable to become bankrupt.

65. *Enumeration of the Traders liable to become bankrupt. What Persons not to be deemed such Traders.*
66. *Trader having Privilege of Parliament.*

14.—Acts of Bankruptcy in general.

67. *Departing the Realm, absenting, beginning to keep House, yielding to Prison, fraudulent Outlawry, Arrest, Attachment, Execution, Conveyance, Surrender, Gift, Delivery, or Transfer.*
68. *Conveyance of all a Trader's Property not an Act of Bankruptcy, unless a Petition for Adjudication be filed within Three Months.*
69. *Lying in Prison, and escaping out of Prison.*
70. *Filing a Declaration of Insolvency in the Office of the Secretary of Bankrupts.*
71. *Compounding with Petitioning Creditor. Adjudication may either be annulled or declared valid.*
72. *Trader not paying, securing, or compounding for a Judgment Debt, upon which the Plaintiff might sue out Execution, within Seven Days after Notice requiring Payment.*
73. *Trader disobeying Order of a Court of Equity, &c. for Payment of Money, after Service of peremptory Order for Payment on a certain Day.*
74. *Filing Petition in Insolvent Debtors Court in England.*
75. *Filing Petition in Insolvent Debtors Court in India.*
76. *Filing Petition for Arrangement between a Trader Debtor and his Creditors.*
77. *Trader having Privilege of Parliament, not paying or compounding to the Satisfaction of the Creditor, and entering Appearance to Action within One Month.*

15.—Acts of Bankruptcy by Nonpayment after Summons.

78. *Creditor making Affidavit of his Debt, and of his having given Notice requiring immediate Payment, &c., Court may summon the Trader. Delivery, Notice, &c. in Cases of Partnership.*
79. *Manner of proceeding upon the Appearance of the Trader.*
80. *Trader not attending Summons, or refusing to admit the Demand, &c., and not paying or compounding within a certain Time, or giving Bond for Payment of the same if recovered in an Action, &c., with Costs, to be an Act of Bankruptcy.*
81. *Trader signing Admission, and not paying, securing, or compounding within a certain Time, an Act of Bankruptcy.*
82. *Trader admitting Part only of a Demand, &c., and the Trader not paying, &c. the Sum admitted, and as to Residue not paying the same, &c., or giving Bond to pay the same if recovered in an Action, with Costs, an Act of Bankruptcy.*
83. *What shall be deemed a Refusal to admit of Debt. Court may enlarge the Time for Admission, or entering into Bond, &c.*
84. *Admission of Debt signed elsewhere than in Court, if attested by Trader's Attorney, to have the same Force as an Admission signed in Court.*
85. *Court may award Costs to the Creditor, or the Trader summoned.*
86. *If Creditor bring an Action, and do not recover the Amount sworn to in his Affidavit of Debt, and if the Affidavit be made for such Amount without probable Cause, the Defendant in the Action shall be entitled to Costs.*

16.—General Provisions with respect to Acts of Bankruptcy.

87. *Notice of Acts of Bankruptcy to Agents of Corporate Bodies, &c.*
88. *No Person liable upon an Act of Bankruptcy committed more than Twelve Months before Fiat, &c.*

17.—Of Procedure to obtain Adjudication.

89. *Proceedings in Bankruptcy to originate by Petition to the Court of Bankruptcy without Fiat, &c.*

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Sect. 90. *Petition to be filed and prosecuted in the Court for the District in which the Trader shall have resided or carried on Business for Six Months next before Petition, except upon Special Order.*

91. *Amount of Petitioning Creditor's Debt. Such Debt may be payable at a future Time, although Security given.*

92. *Petition for Adjudication may be made by the public Officer of certain Copartnerships.*

93. *Trader may petition for Adjudication of Bankruptcy against himself.*

94. *Where Petitions for Adjudication are to be filed. Docket Book. Allotment of Petitions.*

95. *Registrars to transmit Copies of Entries, Adjudications, &c. to Chief Registrar.*

96. *If Adjudication be not obtained within Three Days after Petition, any other Creditor may proceed on it.*

97. *Petitions may be presented against One or more Partners in a Firm; and Petitions against Two or more Persons may be dismissed as to One or more, without affecting the Rest.*

98. *In Cases of a Second or other Petition against One or more Members of a Firm, the same shall be prosecuted in the Court in which the first was prosecuted, &c.*

99. *In case Trader against whom a Petition has been filed be about to quit England, or to remove or conceal his Goods, with Intent to defraud Creditors, he may be arrested, and his Goods seized. Trader so arrested may apply to the Court for his Discharge forthwith.*

100. *Court may before Adjudication summon Witnesses to prove Trading and Act of Bankruptcy.*

18.—Of Adjudication, and Proceedings thereunder.

101. *Court to make Adjudication, &c. upon certain Proofs, &c.*

102. *Appointment of Official Assignee.*

103. *In case Petitioning Creditor's Debt be insufficient, Court may proceed upon the Application of any other Creditor whose Debt is sufficient.*

104. *Bankrupt to have Notice thereof before Advertisement of Adjudication, and to be allowed Seven Days, or such extended Time, not exceeding Fourteen Days, as the Court shall think fit, to shew Cause against Adjudication. Adjudication may, with Bankrupt's Consent, be advertised before the Expiration of the Time allowed for shewing Cause.*

105. *Bankrupt to deliver up his Books of Account to the Official Assignee upon Oath; to attend Assignees; to be at Liberty to inspect Books, &c.; after Allowance of Certificate, to attend Assignees in settling Accounts. Allowance for Attendance.*

106. *Search Warrants may be granted.*

107. *No Action to be brought against Persons acting in Obedience to Warrant of the Court.*

108. *Proof in such Actions that Defendant is Petitioning Creditor sufficient to render him liable.*

109. *Messenger may break open the Bankrupt's Doors, &c., and seize upon his Body or Property.*

110. *Execution of Warrant in Ireland.*

111. *Execution of Warrant in Scotland.*

112. *If Bankrupt be not in Prison or Custody, to be free from Arrest in coming to surrender, &c., and if in Prison may be brought up by Warrant to be examined or to surrender, &c., and if in Prison for Debt the Court may, except in certain Cases, order his Release absolutely or conditionally.*

113. *If arrested, to be discharged on producing Protection.*

114. *Petitioning Creditor to proceed at his own Costs, until Choice of Assignees.*

115. *No Fiat to be superseded, &c. by Reason only of Concert.*

116. *Court may proceed, notwithstanding Death of Bankrupt.*

117. *Court may summon and examine Bankrupt.*

118. *Court may summon and examine Bankrupt's Wife.*

119. *If Bankrupt be keeping out of the Way, or be about to quit England, &c., Court may issue Warrant.*

120. *Court empowered to summon Persons suspected of having Bankrupt's Property, &c.*

121. *Service of Summons where Person keeps out of the Way.*

122. *Power to examine Persons summoned or present at any Sitting.*

123. *In a Case of Debts admitted to be due to Bankrupt's Estate, Court may order Payment, and such Order to have Effect of Judgment. Presence of Attorney on Behalf of Party making the Admission.*

Sect. 124. *Court may order Letters addressed to Bankrupt to be re-directed or delivered to Official Assignee, &c.*

19.—Consequences of Adjudication in certain Cases.

125. *Goods in the Possession, Order, or Disposition of the Bankrupt to be deemed his Property. Proviso for Assignments of Vessels under the 8 & 9 Vict. c. 89.*

126. *Power of Court over certain Conveyances, &c. made by Bankrupt.*

127. *Court may proceed when the Bankrupt, by Fraud, makes himself Accountant to the Crown.*

128. *Where Bankrupt beneficially entitled to Stock, Court may make Order for Transfer.*

129. *Distress not to be available for more than One Year's Rent due; the Landlord to prove for the Residue.*

130. *Where Bankrupt is a Trustee, the Lord Chancellor may order Conveyance or Assignment to another Trustee.*

131. *Titles to Property sold not to be impeached, unless Proceedings taken to annul, and duly prosecuted.*

132. *The Court, after Adjudication, may order any Treasurer, &c., or Agent of the Bankrupt, to deliver up all Monies, &c.*

20.—Of Transactions not affected by Bankruptcy.

133. *Payments, Conveyances, Contracts, &c., Executions against Lands, (if executed by Seizure), and against Goods, (if executed by Seizure and Sale), to be valid, if no Notice of prior Act of Bankruptcy; but nothing herein to give Validity to Payments, &c. by Way of fraudulent Preference.*

134. *Bond fide Purchases not to be impeached by Notice of Act of Bankruptcy, unless Fiat, &c. be sued out within Twelve Months after the Act of Bankruptcy.*

21.—Of Warrants of Attorney, &c.

135. *Certain Warrants of Attorney, Cognovits, and Consents to Judge's Order, given within Two Months of filing Petition, to be null and void.*

136. *Warrants of Attorney and Cognovits Actionem given by any Trader to be void, unless the same, or a Copy thereof, be filed, &c. within Twenty-one Days after the Execution thereof.*

137. *Judge's Order obtained by Consent given by any Trader Defendant to be void, unless the same, or a Copy thereof, be filed within Twenty-one Days, in like Manner as Warrants of Attorney and Cognovits Actionem.*

22.—Exemptions from Stamp-duty, &c.

138. *Deeds and other Instruments relating to Bankruptcy not liable to Stamp-duty.*

23.—Of the Choice of Assignees, their Rights and Duties.

139. *Assignees of the Bankrupt's Estate, when and how chosen. Court may reject or remove any Person chosen as unfit.*

140. *Joint Creditor entitled to prove under separate Estate, for the Purpose of voting in the Choice of Assignees.*

141. *Personal Estate to vest in Assignees.*

142. *Real Estate to vest in Assignees.*

143. *Where a Conveyance of the Property of a Bankrupt would require to be registered, the Certificate of Appointment of the Assignees shall be registered.*

144. *Assignees not to take Crop in any other Way than Bankrupt would have been entitled to do.*

145. *Bankrupt not liable to Rents or Covenants in Conveyances, Leases, &c.; and if Assignees decline to determine whether they will accept Conveyance, &c., any Person entitled may apply to the Court.*

146. *Vendor of Estate in Lands may compel Assignees to elect whether they will abide by or decline the Agreement for Sale.*

147. *Assignees may execute Powers previously vested in Bankrupt.*

148. *Court may order Bankrupts to join in Conveyances.*

149. *Conditional Estates granted by the Bankrupt may be redeemed by Assignees.*

150. *Assignees may appoint the Bankrupt to superintend the Management of the Estate.*

151. *Assignees to be subject to Orders of the Court.*

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Sect. 152. *In Case of a Member of a Firm becoming bankrupt, the Court may authorise Action or Suit in Name of the Assignees and of the remaining Partner. Partner to have Notice, and be at Liberty to shew Cause. Court may direct Partner to have Part of Proceeds.*
153. *Assignees may institute or defend Actions or Suits, and compound for Debts due to the Estate, or submit Disputes to Arbitration.*
154. *Reference to Arbitration may be made a Rule of Court.*
155. *If Fiat, Petition, or Adjudication be annulled, &c., Persons from whom the Assignees have recovered, or who have bonâ fide paid the Assignees, &c., discharged from Claims by the Bankrupt.*
156. *If Assignee indebted to Bankrupt's Estate become bankrupt, his Certificate shall not discharge his future Effects in Respect of such Debt.*
157. *Suits not to abate by Death or Removal of Assignees.*
158. *If Assignees commence Action before Time allowed to dispute the Bankruptcy has elapsed, Debtor to Estate may pay Money into Court.*
159. *Limitation of Actions. General Issue. Costs.*

24.—Last Examination.

160. *The Bankrupt to prepare and file a Balance Sheet and Accounts, &c.*
161. *Bankrupts apprehended by Warrant.*
162. *Court may adjourn last Examination sine die.*
163. *If Bankrupt in Prison or Custody, Court may appoint a Person to attend him with Books, Papers, &c., to enable him to prepare Balance Sheet.*

25.—Of Proof of Debts and Payments in full.

164. *When and how Debts may be proved; by Corporations, &c. Creditor may be examined upon Oath.*
165. *Bonâ fide Creditors, in Respect of Debts contracted after an Act of Bankruptcy, may prove.*
166. *Payment of Assessed Taxes.*
167. *If Bankrupt an Officer of, and have Monies, &c. in his Hands belonging to, any Friendly Society, Court to order Payment thereof before any of his other Debts are satisfied.*
168. *Court may order Three Months' Wages or Salary to Clerks or Servants.*
169. *Court may order Wages not exceeding 40s. to Labourer or Workman.*
170. *Apprentices to Bankrupts discharged from their Indentures. Court may order any Sum to be paid in respect of Apprentice Fees.*
171. *Mutual Debts and Credits may be set off, notwithstanding prior Act of Bankruptcy.*
172. *Debts not payable at the Time of the Bankruptcy may be proved, deducting Rebate of Interest.*
173. *Sureties and Persons liable for the Debts of a Bankrupt may prove, after having paid such Debts.*
174. *Obligees in Bottomry or Respondentia Bonds, and assured in Policy of Insurance, admitted to claim, and after Loss to prove. Persons effecting Insurance admitted to prove Loss.*
175. *Annuity Creditor admitted to prove.*
176. *Sureties for Payment of Annuities granted by Bankrupt, in what Manner to come in, under the Bankruptcy.*
177. *Debt contingent at the Time of the Bankruptcy to be provable for the Value thereof ascertained by the Court; or if Value not ascertained before the Contingency has happened, then, after the Contingency has happened, Amount of Debt may be proved.*
178. *Liability contingent at the Bankruptcy may be admitted to claim, and after Contingency has happened, and the Demand been ascertained, Demand may be proved.*
179. *On Bankruptcy of Agent entrusted with Goods, but which have been pledged by him, Owner may prove for Amount paid to redeem, or for Value if the Goods be unredeemed.*
180. *Interest upon Debts, when provable, though not reserved or agreed for.*
181. *Plaintiff or Defendant obtaining Judgment, &c. entitled to prove for Costs, &c.*
182. *Proving Debt to be an Election not to proceed against the Bankrupt by Action.*
183. *Court may expunge Proof of any Debts which, after Investigation, do not appear to be due. Persons requiring Investigation to sign Undertaking for Costs. Application may be made in first Instance to Vice-Chancellor.*
184. *Creditors having Security not to receive more than other Creditors.*

26.—Of the Audit.

185. *Appointment of Sitting for Audit.*
186. *Court may direct Money to be invested in Exchequer Bills.*

27.—Of the Dividend.

187. *Method of making Dividends. No Dividend without previous Audit.*
188. *Final Dividend within Eighteen Months, except where Suit depending, or Estate standing out, &c. Outstanding Debts, &c. may be sold by the Assignees after a certain Time, under the Order of the Court.*
189. *Debtor and Creditor Account to be furnished by Official Assignee to Creditors' Assignee, &c., before final Dividend.*
190. *No Action to be brought for Dividends, but the Remedy to be by Application to the Court.*

28.—Of Unclaimed Dividends.

191. *Unclaimed Dividends, &c. to be paid into the Bank to the Credit of the Accountant in Bankruptcy, and carried to "Unclaimed Dividend Account."*
192. *How unclaimed Dividends, &c., in the Hands of Assignees, to be disposed of.*
193. *Bank of England to receive from Assignees and give a Receipt for any Sum mentioned in a Certificate of the Accountant in Bankruptcy.*

29.—Of Allowances to the Bankrupt.

194. *Allowance to Bankrupt for Maintenance.*
195. *Allowance to Bankrupt, 5l. per Cent., and not exceeding 400l., as soon as 10s. paid in the Pound; 7l. 10s. per Cent., and not exceeding 500l., if 12s. 6d.; 10l. per Cent., and not exceeding 600l., if 15s. Allowance not payable till Twelve Months after the Bankruptcy, and then only if requisite Amount of Dividends paid. If at Expiration of Twelve Months the Dividends paid be under 10s., Bankrupt may be allowed not exceeding 3l. per Cent., and 300l.*
196. *One Partner may receive Allowance, although other not entitled.*
197. *If Produce of Estate pay 20s. in the Pound, and leave Surplus, such Surplus to be paid to Bankrupt, after Payment of Interest on Debts.*

30.—Of the Certificate of Conformity.

198. *Mode of obtaining Certificate of Conformity.*
199. *Certificate to be under Hand and Seal, and to certify the Bankrupt's Conformity, &c.; no Certificate allowed before the Commencement of this Act shall require Confirmation.*
200. *Certificate to discharge Bankrupt from all Debts due by him when he became bankrupt.*
201. *Bankrupt not entitled to Certificate if he has lost by Gaming 20l. in One Day, or 200l. within Twelve Months, or 200l. by Stock-jobbing; or concealed or destroyed Books, &c.; or made fraudulent Entries, or concealed any Property, or permitted fictitious Debts to be proved.*
202. *Contract or Security to induce Creditor to forbear Opposition, void.*
203. *Certificate may be recalled.*
204. *Bankrupt not liable upon any promise to pay Debt discharged by Certificate.*
205. *Bankrupt having obtained his Certificate, free from Arrest. Certificate to be Evidence of the Bankruptcy and Proceedings, and Bankrupt in Execution may be discharged.*
206. *Certificate not to be delivered to Bankrupt until after Expiration of Time for Appeal; and if Appeal duly entered, Certificate to be further kept by the Court to abide the Judgment of the Vice-Chancellor.*
207. *Allowance of the Certificate, and Refusal or Suspension thereof, except in Case of Appeal, to be final and conclusive, unless obtained fraudulently.*

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31.—Of Estates Tail.

Sect. 208. *Clauses in the 3 & 4 Will. 4, c. 74, with Respect to the Disposition of Estates Tail under Bankruptcies, extended to Proceedings under Petition for Adjudication.*

32.—Of Copyholds.

209. *Court may make Sale of Copyhold Lands, for the Benefit of Creditors.*
210. *Vendees of Copyhold Lands shall compound with the Lord for their Fines.*

33.—Of Arrangements under the Control of the Court.

211. *Any Trader unable to meet his Engagements with his Creditors may petition the Court for Protection.*
212. *Petition to be supported by Affidavit.*
213. *Court to appoint private Sitting and Official Assignee, &c.*
214. *Petitioning Debtor to file Account Ten Days before the Day appointed for private Sitting, and furnish Official Assignee with a Copy.*
215. *At first Sitting Creditors to prove their Debts, and if Three-fifths in Number and Value of those who have proved Debts to the Amount of 10l. and upwards assent to Proposal, Sitting for Confirmation to be appointed.*
216. *If at second Sitting Three-fifths in Number and Value of the Creditors who have proved Debts to the Amount of 10l. and upwards agree to accept, Resolution to be binding on all; and Court, if it think the Proposal reasonable and proper to be executed, to approve and confirm the same.*
217. *Person authorised by Letter of Attorney may vote.*
218. *Estate to vest in Official Assignee, and either alone or (if required by Resolution) jointly with any other Person.*
219. *Official Assignee to file Account every Six Months.*
220. *If any Difficulty arise in the Execution of Resolution, &c., a Special Sitting may be held.*
221. *When Resolution or Agreement has been carried into Effect, Court to give Petitioning Debtor a Certificate thereof, and such Certificate to operate as a Certificate of Conformity.*
222. *Court, on being satisfied that Official Assignee has fully performed his Trust, to give him a Certificate thereof.*
223. *If Petitioning Debtor do not attend Sittings of the Court, or if he do not file Account, &c., Petition to be dismissed; and if at first Sitting Proposal be not assented to, or if Debts contracted by Fraud, &c., or if Petitioning Debtor has not made true Discovery, &c., Court may adjudge him bankrupt, and adjourn the Proceedings into the public Court, &c.*

34.—Of Arrangements by Deed.

224. *Deed of Arrangement entered into between any Debtor and his Creditors, and executed by Six-sevenths in Number and Value of the Creditors whose Debts amount to 10l. and upwards, to be binding on all.*
225. *Deed not to be effectual upon Creditor who has not signed, until after Expiration of Three Months from Notice of Suspension and of proposed Deed, &c., unless Court shall otherwise order.*
226. *Trustee or Inspector, &c. to certify as to proper Number of Creditors having signed, which Certificate shall be filed, &c.*
227. *Account of Debts, &c. to be annexed to such Certificate, and to be verified by Affidavit of Arranging Debtor.*
228. *Creditors to have the same Rights as in Bankruptcy, and not to be prejudiced with Respect to their Rights against Third Persons.*
229. *In case of improper Administration any Creditor may apply to the Court.*

35.—Composition after Bankruptcy.

230. *If after Adjudication Nine-tenths in Number and Value of Creditors accept Composition, the same shall bind the Rest.*
231. *Mode of voting in deciding upon such Composition.*

36.—Of Evidence.

232. *Officer of Court to produce Proceedings and give Copies thereof.*
233. *If Bankrupt do not dispute the Fiat or Petition, the Gazette to be conclusive Evidence of the Bankruptcy as against the Bankrupt, and against Persons whom the Bankrupt might have sued had he not been adjudged bankrupt.*
234. *In certain Actions by or against any Person acting under the Bankruptcy no Proof required at the Trial of Petitioning Creditor's Debt, Trading, or Act of Bankruptcy, unless Notice be given that those Matters are to be disputed.*
235. *The same in Suits in Equity.*
236. *Proceedings purporting to be sealed with the Seal of the Court receivable in Evidence.*
237. *Judicial Notice to be taken of Signature of Commissioner or Registrar, and of the Seal of the Court.*
238. *Evidence of Declaration of Insolvency.*
239. *Copy of Petition, &c. under Insolvent Debtors Act, in England or in India, &c., to be admitted as Evidence.*
240. *Advertisements, when Evidence.*
241. *Provisions of the 6 & 7 Vict. c. 85, to be applicable to any Matter in prosecution under this Act.*
242. *On Death of Witness, Office Deposition or Copy thereof to be Evidence.*
243. *Before whom Affidavits are to be sworn.*
244. *Affidavits may be sworn in Prison before Visiting Justice or Keeper of Prison.*
245. *Evidence may be taken viva voce or upon Affidavit.*
246. *Bankrupt and Bankrupt's Wife to be examined upon Declaration.*

37.—Of Solicitors.

247. *Every Solicitor of the High Court of Chancery duly admitted as a Solicitor in the Court of Bankruptcy may practise in the Court.*

38.—Of Costs.

248. *The Provisions and Powers given to Lord Chancellor, &c. in Bankruptcy, under 1 & 2 Vict. c. 110, to be applicable to this Act.*
249. *Court may in all Cases award Costs, which may be recovered as if they were awarded by Rule of a Superior Court at Westminster.*
250. *Witnesses and Persons known or suspected to have Bankrupt's Property, &c. entitled to Costs of Attendance, &c.*

39.—Of Offences against the Law of Bankruptcy, &c.

251. *Bankrupt not surrendering, or not delivering up Books, &c., or removing, concealing, or embezzling Estate.*
252. *Bankrupt destroying or falsifying Books, &c.*
253. *Bankrupt, within Three Months preceding his Bankruptcy, obtaining Goods on Credit, under false Pretence of dealing in the ordinary Course of Trade.*
254. *False Evidence.*
255. *Court may direct Prosecution.*
256. *If at Sitting for last Examination it appear that Bankrupt has been guilty of certain Offences, further Protection to be refused; and if at Sitting for Allowance of Certificate it appear that he has been guilty of any of such Offences, Court to refuse or suspend Certificate, and to refuse further Protection.*
257. *Assignees, and Creditors who have proved, to be deemed Judgment Creditors, and Court to grant Certificate thereof, which shall have the Effect of a Judgment of Superior Court at Westminster.*
258. *Assignees for the Time being may issue Execution on such Certificate.*
259. *Bankrupt taken in Execution not to be discharged, except by Order of the Court.*
260. *Any Person refusing to be sworn, or refusing to answer or not fully answering, or refusing to sign Examination, or to produce Books, &c., may be committed.*
261. *Questions to be particularly specified on Warrant.*
262. *Assignees under Fiats issued on or prior to the 11th November, 1842, retaining unclaimed Dividends, &c.*
263. *Official Assignee not filing Certificate of unclaimed Dividends subject to Penalty.*
264. *Such unclaimed Dividends to be paid, or carried to "The Unclaimed Dividend Account."*
265. *Assignee disobeying Direction to pay or invest Money and retaining it, or permitting Co-Assignee to retain or employ it, to be charged with Twenty per Cent.*

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Sect. 266. *Persons disobeying any Rule or Order of Court to be committed to Prison until they conform, or the Court, or Vice-Chancellor or the Lord Chancellor, shall otherwise order.*
267. *If Debt sworn to by Petitioning Creditor be not due, or if Act of Bankruptcy be not proved, and it appear that the Fiat or Petition was issued or filed fraudulently or maliciously, Court may order Satisfaction.*
268. *Petitioning Creditor compounding with Trader after Bankruptcy.*
269. *Concealing Bankrupt's Effects. Allowance to Persons making Discovery.*
270. *Obtaining Money, Goods, &c. as an Inducement to forbear Opposition, or to consent to Allowance of Certificate.*
271. *Officers, &c. taking Fees improperly.*
272. *Inserting Advertisements without Authority.*
273. *Forging Signature of Commissioner or Officer, or the Seal of the Court.*
274. *Gaoler suffering Persons committed to Escape, &c.*
275. *Application of Forfeitures.*

40.—Definition of Terms, &c.

276. *"Lord Chancellor;" Vice-Chancellor;" "Court;" "Senior Commissioner;" "Fiat" and "Fiat in Bankruptcy;" "Annulling;" "Month;" "Assignees;" "Oath;" "Bank of England;" Number and Gender. Where any particular Number of Days is prescribed for doing any Act, how Time to be reckoned.*
277. *Aliens and Denizens.*
278. *Act may be amended &c.*

Whereas it is expedient to amend and consolidate the laws relating to bankrupts: be it therefore enacted, &c.,

Sect. 1. That from and after the commencement of this act the several acts and parts of acts set forth in the Schedule (A.) to this act annexed, to the extent to which such acts or parts of acts are by such schedule expressed to be repealed, and every other act or acts, and such parts of every other act or acts, as shall be inconsistent with this act, shall be repealed, except so far as the said acts or parts of acts, or any of them, whether mentioned or included in the said schedule or not, repeal any former act or part of an act, and except also so far as may be necessary for the purpose of supporting any proceedings taken or to be taken under and after the commencement of this act upon any trading, act of bankruptcy, petitioning creditor's debt, fiat, or other proceeding in bankruptcy before the commencement of this act, and except as to the recovery and application of any penalty for any offence which shall have been committed before the commencement of this act.

2. That in citing this act in other acts of Parliament, or in any instrument, document, or proceeding, it shall be sufficient to use the expression, "The Bankrupt Law Consolidation Act, 1849."

3. That this act shall not extend to Scotland or Ireland, except where otherwise expressly provided.

4. That this act, unless where otherwise specially provided, shall commence and take effect from and after the 11th day of October next; and that from and after the commencement of this act no fiat in bankruptcy shall be issued, but all proceedings in bankruptcy or to found an act of bankruptcy shall, and proceedings for arrangement between debtors being traders liable to become bankrupt and creditors may, be by virtue of and according to the provisions of this act; and that all proceedings in bankruptcy, and every fiat in bankruptcy, and petition for such arrangement, depending at the commencement of this act, shall be proceeded in and brought to a conclusion under the provisions of this act: provided that every trading, act of bankruptcy, petitioning creditor's debt, or other matter or thing which before the commencement of this act would have authorised proceedings in bankruptcy, shall after the commencement of this act be sufficient to authorise proceedings in bankruptcy under this act, and nothing in this act contained shall render invalid any proceedings in bankruptcy, or any fiat in bankruptcy, or any petition for arrangement, depending at the commencement of this act, or any proceedings which may have been instituted or taken under or by virtue of such bankruptcy, fiat, or petition, or lessen or affect any right, title, claim, demand, or remedy which any person now has or hereafter may have under or by virtue thereof, or lessen or affect any right, title, claim, demand, or remedy which any person now has or hereafter may have upon or against any bankrupt against whom any fiat has or shall have been issued, or against any such trader who may or shall have presented such petition, except as in this act is hereafter specially provided: provided always, that nothing in this act contained shall affect the provisions of the "Joint-stock Companies Winding-up Act, 1848," or any of the acts therein recited, or of any act amending such act, except so far as regards the abolition of the fiat in bankruptcy and the substitution of a petition for adjudication of bankruptcy.

5. That where, in any act of Parliament, instrument, document, or other proceeding passed, executed, or made before the commencement of this act, mention shall have been or shall be made of any commission of bankruptcy or fiat in bankruptcy, such act, instrument, document, or proceeding shall be construed with reference to the proceedings under a petition for adjudication of bankruptcy, as if such commission or fiat had been actually issued at the time of filing such petition.

And with respect to the court, and the jurisdiction thereof, be it enacted,

6. That the Court of Bankruptcy shall continue to be a court of law and equity for the purposes of this act, and shall continue to be a court of record; and the records and proceedings of every kind at the commencement of this act in the said court in London, and in the several districts in the country, shall be kept as such records and proceedings in like manner in the court so continued; and the said court and every commissioner thereof shall have and use all the powers, rights, incidents, and privileges of a court of record, and all other rights, incidents, and privileges, as fully to all intents and purposes as the same are used and enjoyed by any of her Majesty's courts of law or judges at Westminster; and each and every of the commissioners for the time being acting in London and in the several districts in the country shall, singly and simultaneously, or otherwise as occasion may require, be and form the court for every purpose under this act, or in execution of any duty which may hereafter be imposed on the court, except where otherwise in this act specially provided.

7. That upon the next two occasions of a vacancy in the office of any commissioner of the court acting in London the vacancies shall not be filled up, and the commissioners acting in London shall in such manner be reduced to four; and the Lord Chancellor shall have power to direct before which commissioner or commissioners those matters shall be prosecuted which were theretofore prosecuted before the commissioner whose death, resignation, retirement, or removal shall have occasioned the vacancy.

8. That the commissioners of the court continued under this act, or any eight or more of them, of whom the senior commissioner shall be one, may from time to time make such rules and orders as they may think fit for the better carrying this act into execution, and as regards the duties to be performed by the chief and other registrars, the accountant, master, clerk of inrolments, official assignees, registrar of meetings, and clerks, and by the messengers, ushers, and other under officers of the court, and generally for regulating the practice of the court and the forms of proceedings where not provided for in this act: provided always, that no such rules or orders shall be of any force or effect until they shall have been approved by the Lord Chancellor.

9. That the limit and extent of the district of the Court of Bankruptcy acting in London shall be and remain the limit and extent of such district at the time of the passing of this act, and the limit and extent of the districts of the courts acting in the country respectively shall be the limit and extent of such districts respectively as the same are settled and determined at the time of the passing of this act, unless and until such last-mentioned districts shall be altered as hereinafter provided: provided always, that it shall be lawful for her Majesty, with the advice of her Privy Council, from time to time to alter the limit and extent of such last-mentioned districts, or any of them, or to increase the number of the same, as to her Majesty, with the advice aforesaid, shall seem fit.

10. That the court shall sit for the dispatch of business daily throughout the year, (Sunday, Christmas-day, Good Friday, Monday and Tuesday in Easter week, and days appointed for public fast or thanksgiving, excepted), and in London, and in each district in the country, the commissioners of the court, or

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such of them as occasion may require, shall attend for that purpose: provided always, that in each district in the country in which there is only one commissioner of the court, such commissioner, or, in his absence from illness or other reasonable cause, the registrar of the court in such district, shall so attend: provided also, that during the time appointed by order of the Lord Chancellor for vacations in the several offices of the High Court of Chancery, the commissioners of the court in London and in the several districts in the country respectively shall have full power and authority to regulate the sittings of the court, and appoint the attendance of such of them as vacation commissioner or commissioners for that purpose as shall appear fit and necessary for the due administration of justice in the said court.

11. The Lord Chancellor may from time to time attach the commissioners and registrars acting in the country to such districts as he shall think fit, and, whenever it shall appear to him to be expedient, may order any commissioner acting for any district, whether in town or country, to hold sittings at such places within his district as the Lord Chancellor may think fit, and may give all necessary directions in that behalf.

12. That the court, in the exercise of its primary jurisdiction by virtue of this act, shall have superintendence and control in all matters of bankruptcy, and shall hear, determine, and make order in any matter of bankruptcy whatever, so far as the assignees are concerned, relating to the disposition of the estate and effects of the bankrupt, or of any estate or effects taken under the bankruptcy and claimed by the assignees for the benefit of the creditors, or relating to any acts done or sought to be done by the assignees in their character of assignees by virtue or under colour of the bankruptcy, and also in any matter of bankruptcy whatever as between the assignees and any creditor or other person appearing and submitting to the jurisdiction of the court; and also in any application for a certificate of conformity, and in any other matter (whether in bankruptcy or not) where the court by virtue of this act has jurisdiction over the subject of the petition or application, save and except as may be by this act otherwise specially provided, and subject in all cases to an appeal to such one of the Vice-Chancellors of the High Court of Chancery as the Lord Chancellor shall from time to time be pleased to appoint to sit in bankruptcy: provided always, that if no such appeal shall be entered within twenty-one days from the date of any decision or order of the court, and be thereafter duly prosecuted, every such decision or order shall be final; and that every appeal shall be subject to such regulation in regard to deposit of costs as shall by any general rule or order to be made in pursuance of this act be directed.

13. That the Vice-Chancellor appointed and sitting in bankruptcy as aforesaid shall be and form a court of record, and shall have all the powers of and incident thereto, and may adjourn any sitting from time to time and for such time as may be requisite, and shall have the like power of summoning and compelling attendance, and of examination, and of enforcing obedience to examination and to any order duly made, whether relating to any examination or to any other matter, and of requiring and compelling the production of books, papers, deeds, writings, and other documents, and shall have the like power of commitment, as is by this act given to the Court of Bankruptcy.

14. That all appeals from decisions or orders of the commissioners shall be brought on by way of petition, motion, or special case, subject to any general rule or order to be made by the Vice-Chancellor or by the Lord Chancellor relating to such appeals.

15. That the Vice-Chancellor may, if he think fit, direct any question of fact arising before him to be decided by a jury in London or Westminster, or by a jury before a judge of assize, in manner and form provided in lieu of a feigned issue by an act passed in the Parliament holden in the 8 & 9 Vict. [c. 109], intituled "An Act to amend the Law concerning Games and Wagers;" and after any question so authorised shall have been decided, a new trial thereof may be moved for in the court out of which the writ of summons sued out under that act shall have been issued.

16. That all decisions and orders of the Vice-Chancellor shall be subject to an appeal to the Lord Chancellor on matters of law and equity, or on the refusal or admission of evidence, and on such only; and in all cases of appeal to the Lord Chancellor such appeal shall be on a special case, and in no other mode whatsoever, except the Lord Chancellor shall in any case otherwise direct; and such special case shall be approved and certified by the Vice-Chancellor, and his determination on the settlement of such case shall be final and conclusive: provided always, that all appeals to the Lord Chancellor by virtue of this act shall be heard by the Lord Chancellor only, and not by any other judge of the High Court of Chancery; and that if no petition of appeal be entered within twenty-one days from the date of the decision or order of the Vice-Chancellor, and thereafter duly prosecuted, every such decision or order shall be final.

17. That all appeals to the Vice-Chancellor or Lord Chancellor, and all affidavits and documents to be used on the hearing of any such appeal, shall be entered in the office of the chief registrar; and the Vice-Chancellor sitting in bankruptcy shall on the hearing of such appeals be attended by some one of the registrars of the Court of Bankruptcy.

18. That if the Lord Chancellor shall in any case deem any matter of law or equity brought before him by way of appeal to be of sufficient difficulty or importance to require the decision of the House of Lords, or in case both parties in any proceeding before the Vice-Chancellor shall desire that any such matter may be determined in the first instance by the House of Lords, and not by the Lord Chancellor, then and in such case the whole facts whereupon such question of law or equity shall arise shall be stated in the form of a petition of appeal to the House of Lords, and the party appealing may carry an appeal to the House of Lords, in like manner as other appeals are preferred to that House: provided always, that the cases to be lodged by the parties in the House of Lords shall be confined in matter of fact, in cases of appeal from the Lord Chancellor, to setting forth the special case brought up to the Lord Chancellor from the Vice-Chancellor, and in cases of appeal from the Vice-Chancellor to setting forth a special case, to be approved and certified by the Vice-Chancellor, and to such arguments on the point of law as the parties may be advised to state.

19. That during the illness, or absence from any reasonable or unavoidable cause, of any commissioner acting in the country, the Lord Chancellor (as occasion may require, and for such time as he shall think fit to allow) may authorise and direct any of the commissioners acting in London to act in any district in the country for or in aid of any of the commissioners, and so vice versâ, and in the same manner may authorise any of the commissioners appointed to act in any one district in the country to act for or in aid of any of the commissioners authorised to act in any other district in the country; and any commissioner so acting shall have all the power, jurisdiction, and authority, and perform all the duties, of the commissioner for or in aid of whom such commissioner shall so act.

20. That any of the commissioners acting in London may, during vacation, or during the illness or unavoidable absence of the senior commissioner, exercise and perform the duties imposed upon the senior commissioner by this act.

21. That the court in London, and in the several districts in the country, shall be auxiliary to each other for proof of debts and for the examination of persons or witnesses on oath, or for any or either of such purposes: provided always, that all such examinations shall be taken down in writing, and shall be annexed to and form part of the proceedings in the matter to which the same shall relate, and that no such proof or examination shall be taken without the request in writing of the commissioner before whom the matter is being prosecuted.

22. That all power, jurisdiction, and authority of the commissioners named in any fiat issued on or prior to the 11th day of November, 1842, shall be deemed to have ceased and determined on that day; and every such fiat not already transferred or removed into the Court of Bankruptcy shall be transferred and removed into the court in such manner as may by any general rule or order to be made in pursuance of this act be directed.

23. That all proceedings before the court in any district in the country, or any part of such proceedings, or copies or minutes thereof, shall be transmitted to the chief registrar at such time and in such manner as may by any general rule or order to be made in pursuance of this act be directed, and be by him kept among the records of the court.

24. That every warrant issued by the court shall be under

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the seal of the court and the hand of one of the commissioners; and every summons shall be in writing under the hand of one of such commissioners, or in his absence under the hand of one of the registrars, and under the seal of the court.

25. That the court shall cause to be sealed with the seal of the court all records, proceedings, documents, and copies of the same as are by this act expressly required to be so sealed, and such other records, proceedings, documents, and copies of the same as the court shall at any time direct.

And with respect to the registrars, be it enacted,

26. That upon the next two occasions of a vacancy in the office of any registrar of the court acting in London (other than the chief registrar) the vacancies shall not be filled up, and the number of registrars acting in London (other than the chief registrar) shall in such manner be reduced to four.

27. That any registrar of the court may, during vacation, or during the illness or absence from any other reasonable cause of any commissioner thereof, act for and as the deputy of such commissioner; and any such registrar so acting shall have and exercise all power vested in the court, except the power of commitment, the hearing of any disputed adjudication, or the hearing or determining of any question of the allowance or suspension of any bankrupt's certificate.

28. That whenever it shall seem expedient to any court to direct a registrar to act in the prosecution of any bankruptcy for proof of debts, or for the examination of persons or witnesses on oath, or for either of such purposes, it shall be lawful for such court so to direct, and the travelling expenses of such registrar and of any clerk or other officer attending him, incurred in so acting, shall be settled by such court, and paid out of the estate of the bankrupt; and such registrar so acting shall have and exercise all power vested in such court for proof of debts and examination of persons or witnesses, except the power of commitment: provided always, that all depositions and examinations of persons and witnesses taken before such registrar, and all acts done by him, shall be reduced to writing, and shall be annexed to and form part of the proceedings.

29. That the chief registrar shall provide a seal for himself and each of the other registrars of the court, on which shall be engraven the style of the court, and the name of the district in which such registrar is acting; and every such seal shall be kept by the chief and other registrars respectively for the time being in trust for the purposes of the court; and such seal shall be and shall be deemed and taken to be the seal of the court.

30. That any registrar of the court may act for the chief registrar or for any other registrar thereof, and during the illness, or absence from any reasonable or unavoidable cause, of any registrar acting in the country, the Lord Chancellor (as occasion may require, and for such time as he shall think fit to allow) may authorise and direct any of the registrars acting in London to act in any district in the country for or in aid of any of the registrars, and so vice versâ, and in the same manner may authorise any of the registrars appointed to act in one district in the country to act for or in aid of any of the registrars appointed to act in any other district in the country; and any such registrar so acting shall have all the power, jurisdiction, and authority, and perform all the duties, of the registrar for or in aid of whom he shall so act.

And with respect to the accountant in bankruptcy, be it enacted,

31. That the accountant in bankruptcy shall superintend and control the care and management of the funds belonging to bankrupts' estates, and of all funds which may come into the court under any matter to be prosecuted therein under and by virtue of this act, and shall conduct the business of it in such manner as may by the Lord Chancellor, or by any general rule or order to be made in pursuance of this act, be directed; and the salary of the accountant shall be in lieu of all fees and emoluments whatsoever, and he shall not, directly or indirectly, receive any further sum, either for commission, brokerage, or otherwise; and the brokerage business of the accountant's office shall be transacted upon such terms as any two of the commissioners of the court acting in London shall determine, and the sum paid to the broker shall be charged by the accountant to the estate for which the investment or sale shall be made, and when such sum shall be determined the commissioners aforesaid may direct the payment of it in such manner as to them may seem just.

32. That all monies and securities which at the commencement of this act may be standing in the books of the Bank of England in the name of the accountant in bankruptcy to the credit of the accounts intituled respectively "The Secretary of Bankrupts Account," "The Secretary of Bankrupts' Compensation Account," and "The Interest arising from Bankruptcy Fund Account," and all monies and securities which shall be standing to the credit of the account intituled "Fund arising from Fees in Bankruptcy," or which shall be so standing in the name of the "Registrar of Meetings," shall be transferred and carried to an account to be opened therein, and intituled "The Chief Registrar's Account;" and all monies and securities which shall thereafter stand to the credit of the account to be so opened and intituled shall be subject to all the orders theretofore made in regard to monies paid or directed to be paid in to those accounts.

33. That the account kept at the Bank of England in the name of the accountant, and called "The Bankruptcy Fund Account," and the account to be opened as mentioned in the preceding article, and intituled "The Chief Registrar's Account," and each such account, shall be subject to such general orders touching the payment in, investment, accounting for, and payment out of the same for the purposes mentioned in this act, as the Lord Chancellor shall from time to time think fit to prescribe.

34. That out of the cash now lying or which shall hereafter lie dead and uninvested in the Bank of England in the name of the accountant, to the credit of any account kept by him as such accountant, any sum or sums of money shall and may, by virtue of any order or orders of the Lord Chancellor to be made for that purpose, from time to time be placed out and invested, in one entire sum or in parcels, in the name of the accountant, on such Government or Parliamentary securities as in and by such order or orders shall be directed, and such securities shall be carried to the accounts respectively on account of which they were so purchased; and the interest and dividends of all securities so purchased shall from time to time be received by the governor and company of the Bank of England, and be carried to the account intituled "The Chief Registrar's Account."

35. That if at any time hereafter the whole or any part of the money placed out on securities shall be wanted to answer any demands due in respect of any bankrupt's estate, or if it shall at any time appear that the balance of cash remaining to the credit of the accountant is not so large as it ought to be, having regard as well to the convenience of the suitors as to the necessity of affording a fair remuneration to the Bank of England for keeping the accounts, the Lord Chancellor may direct the whole or any part of such securities to be sold and disposed of, and the money arising from such sale to be paid into the Bank of England to the credit of the accounts to which they respectively belong.

36. That on or before the 1st day of March in every year, if Parliament be then sitting, or, if not, within fourteen days from the commencement of the then next session of Parliament, there shall be laid before Parliament, by the accountant, a return shewing the total amount of monies paid into the Bank of England to the credit of the accountant during the year preceding and up to the 31st day of December in that year, and distinguishing therein the amount paid over by her Majesty's Commissioners of Inland Revenue under the provisions hereinafter contained; the total amount of monies paid out during the same period by orders of the Lord Chancellor, the Vice-Chancellor, or the Court of Bankruptcy or any commissioner thereof; the balances on the said 31st day of December in the Bank of England standing to the credit of the accountant; and shewing also the net amounts standing at the Bank of England to the credit of the accountant on the 1st day of January on each of the following distinct accounts, viz. first, the Bankruptcy Fund Account; second, the Unclaimed Dividend Account; and third, the Chief Registrar's Account; and the return in respect of the last-mentioned account shall have an appendix attached thereto, detailing all payments made from such account, and to whom made, and whether as salaries, compensations, annuities, services, or travelling or other expenses or allowances; and the said return shall specify the amount transferred and paid out as dividends out of the Dividend Account, and shall also shew the balance then existing on such account.

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37. And with respect to the master, be it enacted, that the duties of the master shall be the taxation of all such bills of fees, costs, charges, and disbursements as may by any general rule or order to be made in pursuance of this act be directed, subject to review of the court; and the place, time, and manner in which his duties shall be conducted shall be such as shall be specified in such general rule or order; and all sums and fees which now or at any time before the commencement of this act are directed to be paid by the master into the Bank of England to the account intituled "The Secretary of Bankrupts Account," and all sums and fees received by the master after the commencement of this act, shall be paid into the Bank of England to the account intituled "The Chief Registrar's Account."

And with respect to the official assignees, be it enacted,

38. That the official assignees of the Court of Bankruptcy shall give such security, and be subject to such rules, and act in such manner, as may by the Lord Chancellor, or by any general rule or order to be made in pursuance of this act, be from time to time directed.

39. That one of such official assignees shall in all cases be appointed by the court an assignee of each bankrupt's estate and effects to act with the assignee or assignees to be chosen by the creditors; and all the personal estate and effects, and the rents and profits of the real estate, and the proceeds of sale of all the estate and effects, real and personal, of the bankrupt, shall in every case be possessed and received by such official assignee alone, save where it shall be otherwise directed by the court; and all stock in the public funds or of any public company, and all monies, Exchequer bills, India bonds, or other public securities, and all bills, notes, and other negotiable instruments, shall be forthwith transferred, delivered, and paid by such official assignee into the Bank of England, to the credit of the accountant in bankruptcy, to be subject to such order and regulation for the keeping of the account of the said monies and other effects, and for the payment and delivery in, investment, and payment and delivery out of the same, as the Lord Chancellor or as the Vice Chancellor, or any commissioner of the court if authorised so to do by any order of the Lord Chancellor, shall direct.

40. That until assignees shall be chosen by the creditors of the bankrupt the official assignee shall, to all intents and purposes whatsoever, be deemed to be the sole assignee of the bankrupt's estate and effects, and, if the court shall so order, may, before assignees shall be chosen by the creditors, sell or otherwise dispose of any property of a bankrupt which shall be of a perishable nature, or the holding possession whereof until the choice of assignees would in the judgment of the court be prejudicial to the bankrupt's estate: provided always, that nothing herein contained shall extend to authorise any official assignee to interfere with the assignees chosen by the creditors, in the appointment or removal of a solicitor or attorney, or, after such choice, in directing the time and manner of effecting any sale of a bankrupt's estates or effects.

41. That no official assignee shall be personally responsible or liable for any act done by him, or by his order or authority, in the execution of his duty as such official assignee, by reason of the petitioning creditor's debt, trading, or act of bankruptcy upon which any adjudication of bankruptcy shall have been grounded, or of any or either of such matters, being insufficient to support such adjudication; and no official assignee shall be deemed personally answerable for or by reason of his having received any money, bills, notes, or other negotiable instruments under any bankruptcy in his character of official assignee, provided he shall have paid and deposited such money, bills, notes, and other negotiable instruments during the prosecution of the bankruptcy to and in the Bank of England to the credit of the accountant in bankruptcy for the particular estate for which such money, bills, notes, or other negotiable instruments shall have been received, and shall have given notice of such payment or deposit (as the case may be) to any person claiming such money, bills, notes, or other negotiable instruments of the official assignee, and provided also that the official assignee, after such payment or deposit, shall not have dealt with such money, bills, notes, or other negotiable instruments otherwise than in the execution of his duty as official assignee, and under the order of the court; and if any action shall be brought against the official assignee, either solely or jointly with the creditors' assignee, in respect of such money, bills, notes, or other negotiable instruments, it shall be lawful for a judge of the court in which the same shall be brought, upon application of the official assignee, and upon an affidavit of facts, to set aside the proceedings in such action so far as the official assignee is concerned, with such costs, or without costs, as to the judge shall seem meet.

42. That on the death or removal of any official assignee who shall have been appointed to act in any bankruptcy, the court shall have power to appoint another official assignee to act in such bankruptcy.

43. That the court may, at discretion, appoint an official assignee to act with the existing assignees, if any, under any fiat which has been or may be removed into court, and may direct the existing assignees to pay and deliver over to such official assignee all monies, books, papers, and effects whatsoever in their possession or custody as such assignees; and all the real and personal estate of the bankrupt under such fiat shall immediately on such appointment vest in such official assignee jointly with the existing assignees, if any, in like manner as if the proceedings in the bankruptcy had originally been commenced by virtue of this act, without prejudice to any action or suit commenced or any contract entered into by the existing assignees at the time of the commencement of this act.

44. That the court may order and allow to be paid out of any bankrupt's estate, to the official assignee thereof, as a remuneration for his services, such sum as shall, upon consideration of the amount of the bankrupt's property, and the nature of the duties performed by such official assignee, appear to be just and reasonable.

45. That on or before the 1st day of March in every year, if Parliament be then sitting, or, if not, within fourteen days from the commencement of the then next session of Parliament, there shall be laid before Parliament by every official assignee a return, in the form contained in Schedule (B.) to this act annexed, shewing the particulars in such form mentioned in respect of every estate under his charge, and which shall not have been finally wound up, on the 31st day of December in the preceding year; and such return shall be certified by the court, and shall be subject to such further regulation, as to the form of the same or otherwise, as the Lord Chancellor may from time to time think fit to make.

46. And with respect to the messengers, be it enacted, that on the next two occasions of a vacancy in the office of any messenger of the court acting in London the vacancies shall not be filled up; and in such manner the number of messengers acting in London shall be reduced to four.

47. And with respect to the exemption of officers and servants of the court from serving on juries, inquests, and parochial offices, be it enacted, that the chief and every other registrar, the accountant, the master, the official assignees, the messengers, and the ushers shall be exempt and disqualified from serving any parochial office, and from being returned and from serving on any jury or inquest, and shall not be inserted in any list of men qualified or liable to serve as jurors.

And with respect to fees, be it enacted,

48. That every document enumerated in Schedule (C.) to this act annexed shall, from and after the commencement of this act, and in lieu of all fees thereupon, be printed or written upon vellum, parchment, or paper bearing the stamp-duty set opposite to such documents respectively in such Schedule, and having the word "bankruptcy" impressed on every such stamp: provided always, that where any such document shall consist of more than one sheet, only the first sheet thereof shall be impressed with such stamp.

49. That the Commissioners of Inland Revenue shall give the necessary directions for carrying into effect the provisions of this act with respect to stamp-duties in lieu of fees, and shall cause separate and distinct accounts to be kept of all sums of money collected or received by them under the provisions of this act, and of all costs, charges, and expenses incurred by them or by their order in carrying the same into effect; and it shall be lawful for the said commissioners to pay, and to deduct and retain out of such monies, all such costs, charges, and expenses, and after such deduction they shall from time to time, and in such manner as may by any general rule or order to be made in pursuance of this act be directed, pay over the monies so to be collected and received into the Bank of Eng-

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and, to the credit of the accountant in bankruptcy, to the account intituled "The Chief Registrar's Account."

50. That it shall be lawful for the Commissioners of Inland Revenue to appoint such persons as they may think fit for the sale and distribution of stamps under this act, and to allow to them such discount or poundage upon such sale or distribution as may by any general rule or order to be made in pursuance of this act be directed or authorised; and it shall be lawful by any such general rule or order to make regulation for the allowance of such stamps issued under the provisions of this act as may have been spoiled or rendered useless, or unfit for the purpose intended, or for which the owner may have no immediate use, or which through mistake or inadvertence may have been improperly or unnecessarily used, and such allowance shall be made either by giving other stamps in lieu of the stamps so allowed, or by repaying the amount or value to the owner or holder thereof, after deducting the discount or poundage allowed on the sale of stamps of the like kind.

51. That the provisions contained in the several acts for the time being in force relating to stamps under the care or management of the Commissioners of Inland Revenue shall, (so far as the same are applicable and consistent with the provisions of this act), in all cases not hereby expressly provided for, be of full force and effect with respect to the stamps to be provided under or by virtue of this act, and to the vellum, parchment, or paper on which the same shall be impressed, and shall be applied and put in execution for collecting and securing the sums of money denoted thereby, and for preventing, detecting, and punishing all frauds, forgeries, and other offences relating thereto, as fully and effectually to all intents and purposes as if such provisions had been herein repeated and specially enacted with reference to the said last-mentioned stamps and sums of money respectively.

52. That no document which by this act is required to have a stamp impressed thereon shall be received or filed, or be used in relation to any proceeding in the court, or be of any validity for any purpose whatever, unless or until the same shall have a stamp impressed thereon: provided always, that if at any time it shall appear that any such document which ought to have had a stamp impressed thereon has, through mistake or inadvertence, been received or filed or used without having such a stamp, it shall be lawful for the court, if it think fit, to order that such stamp shall be impressed thereon; and thereupon, when a stamp shall have been impressed on such document in compliance with such order, such document, and every proceeding in reference thereto, shall be as valid and effectual as if such stamp had been impressed thereon in the first instance.

53. That all office copies of fiats, petitions, affidavits, orders, or other proceedings shall be charged for and paid at the rate of 1½*d.* per folio of ninety words, and shall be made and delivered out in such manner as may be directed by any general rule or order to be made in pursuance of this act.

54. That the official assignee of each bankrupt's estate, and every official assignee appointed by the court under any petition for arrangement between a debtor and his creditors, where the estate and effects of such petitioning debtor shall vest in such official assignee, either alone or jointly, in manner hereinafter mentioned, shall pay to the credit of the account intituled "The Chief Registrar's Account" such sum not less than one-eighth of a pound, and not exceeding 5*l.* per centum on the gross produce from time to time of any such estate; such sum, within the limit aforesaid, and the time or times for payment thereof, to be fixed by the senior commissioner, with the approval of the Lord Chancellor; and the senior commissioner, with the like approval, may from time to time lessen or increase such sum, within the limit aforesaid, as may seem just and reasonable, upon consideration of the amount from time to time standing to the said account, and of the claims from time to time chargeable thereupon.

55. That if at any time it shall appear that the whole of the money laid out on securities, and the stocks, funds, and cash standing in the name of the accountant, shall not be sufficient to answer the demands of any bankrupt or his creditors, or other persons interested therein, then and in such case the sum taken for the purposes and by virtue of this act shall be considered a debt due from the public, and to such extent as may be necessary shall be answered and made good by Parliament accordingly.

And with respect to the payment of salaries, compensations, and retiring annuities, and of travelling and other expenses, be it enacted,

56. That the salaries now paid to the commissioners, the Lord Chancellor's secretary of bankrupts, the chief and every other registrar, the accountant, the master, and the clerks to such secretary, chief registrar, accountant, master, and clerk of inrolments respectively, and the ushers of the court, and the registrar of meetings, and the clerk and trainbearer, ushers and assistant usher of his Honor the Vice-Chancellor sitting in Bankruptcy, shall be paid out of the account intituled "The Chief Registrar's Account," and the same shall be paid quarterly, free and clear from all taxes and deductions whatsoever, except the tax on income, on the 11th day of January, the 11th day of April, the 11th day of July, and the 11th day of October in every year, by equal portions, the first payment to be made on the 11th day of January next; and if any person for the time being holding either of the said offices shall die, resign, or be removed from the same, the executor or administrator of the person so dying, or the person so resigning or being removed, shall be entitled to receive such proportionable part of his salary as shall have accrued during the time that such person shall have executed his office since the last payment.

57. That all compensations and annuities which shall have been ordered to be paid, and which continue payable under the provisions of former acts relating to bankrupts, and all retiring allowances which shall hereafter become payable under such provisions, shall be charged upon and paid to the persons entitled thereto out of the monies and securities standing to the credit of the account intituled "The Chief Registrar's Account," and shall be paid and payable to such persons during their natural lives, free from all taxes except the tax on income, in such manner and on such days as the Lord Chancellor may have already ordered or may hereafter order; and in case of the death of any such person, his executor or administrator shall be entitled to receive the proportionate part of such annuity which shall have accrued up to the day of his decease: provided always, that if any of them shall be appointed to and accept any public office or employment of an annual value less than the amount of any such compensation or annuity, they, during the time they may continue in such office or employment, shall be entitled to receive only so much of their compensation or retiring annuity as shall, together with the salary of such new office or employment, be equal to such compensation or retiring annuity; and that if any of them shall be appointed to and accept any public office or employment the salary whereof shall equal or exceed in amount their compensation or retiring annuity, then during the time of their continuance in such office or employment such compensation or retiring annuity shall altogether cease.

58. That all monies paid to the account intituled "The Chief Registrar's Account" shall be subject to all orders made before the commencement of this act in regard to monies paid or directed to be paid to the account intituled "The Secretary of Bankrupts' Compensation Account," or to the account intituled "The Interest arising from the Bankruptcy Fund Account," or to the account intituled "Fund arising from Fees in Bankruptcy," or with regard to the monies and securities standing in the name of the "Registrar of Meetings," and to such further and other orders as may from time to time be made by the Lord Chancellor for salaries, compensations, retiring annuities, services, rent and repair of courts in the country, the supply of law books and other books and stationery necessary for the use of the courts, for travelling and other expenses, and generally for all and every such expenses incurred in carrying this act into effect as the Lord Chancellor shall think fit, and also to such orders as may be made by the commissioners acting as trustees of the piece or parcel of ground hereinafter mentioned, and of the building called "The Court of Bankruptcy," situate in Basinghall-street, in the city of London.

59. That all accounts of the chief registrar, registrars, accountant, and master, for stationery and other incidental expenses of their respective offices, shall be audited and allowed by some one of the commissioners of the court before any order for the payment thereof shall be obtained.

And with respect to the buildings in which courts are held, be it enacted,

60. That the piece or parcel of ground in Basinghall-street,

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in the city of London, and the building called "The Court of Bankruptcy" which has been erected thereon, shall from thenceforth be and the same are hereby vested in the commissioners of the court for the time being acting in London, in trust for the purposes of this act.

61. That such building shall continue to be called "The Court of Bankruptcy," and all sittings of the court held in London in any matter under this act, and also all meetings of creditors held in London under any such matter, and so held in pursuance of public advertisement, shall be holden there, unless the court shall in any case otherwise direct.

62. That the commissioners acting as trustees of the said piece or parcel of ground and of the building aforesaid, or the major part of them, shall give and enforce such order and direction for the occupation and use of the several offices or rooms in the said building, and for preserving and keeping the said building and the rooms and offices therein or appurtenant thereto in good condition and repair, and for insuring and keeping the same insured from loss or damage by fire, as they shall from time to time think proper and advisable.

63. That it shall be lawful for the Lord Chancellor, on the passing of this act, out of the monies and securities then standing to the credit of the account intituled "The Unclaimed Dividend Account," to order repayment to the Treasury of whatever balance may then be remaining due in respect of the several sums advanced for the purchase of the said piece or parcel of ground, and for the erection and fitting up of the said building; and the trustees of the said ground and building, or the major part of them, may thereafter, out of the monies standing to the credit of the account to be opened and intituled "The Chief Registrar's Account," order payment of all expenses incurred for coals and candles for the use of the said building, the expenses of lighting and watching the same, and all taxes, rates, and assessments payable in respect thereof, and of keeping the same in proper condition and repair, and of insurance, and all other annual or occasional and necessary expenses attending the establishment, and may also, with the approval of the Lord Chancellor, order the payment of any charges or expenses that may have been incurred for surveys or plans obtained under the sanction of the Lord Chancellor, and with the view of affording accommodation to the official assignees.

64. That the several buildings which have been provided for the Court of Bankruptcy in the several districts in the country shall be used for the purposes of this act; and such buildings, and such as shall hereafter be provided for such court, in any district in the country, with the appurtenances and effects belonging thereto, shall vest in the respective commissioners acting in such several districts for the time being, in trust for the purposes of this act.

And with respect to persons liable as traders to become bankrupt, be it enacted,

65. That all alum-makers, apothecaries, auctioneers, bankers, bleachers, brokers, brickmakers, builders, calenderers, carpenters, carriers, cattle or sheep salesmen, coach proprietors, cow-keepers, dyers, fullers, keepers of inns, taverns, hotels, or coffee-houses, limeburners, livery-stable keepers, market gardeners, millers, packers, printers, shipowners, shipwrights, victuallers, warehousemen, wharfingers, persons using the trade or profession of a scrivener receiving other men's monies or estates into their trust or custody, persons insuring ships or their freight or other matters against perils of the sea, and all persons using the trade of merchandise by way of bargaining, exchange, bartering, commission, consignment, or otherwise, in gross or by retail, and all persons who, either for themselves or as agents or factors for others, seek their living by buying and selling, or by buying and letting for hire, or by the workmanship of goods or commodities, shall be deemed traders liable to become bankrupt: provided that no farmer, grazier, common labourer, or workman for hire, receiver-general of the taxes, or member of or subscriber to any incorporated commercial or trading company established by charter or act of Parliament, shall be deemed as such a trader liable to become bankrupt.

66. That if any such trader having privilege of Parliament shall commit any act of bankruptcy, he may be dealt with under this act in like manner as any other trader; but such person shall not be subject to be arrested or imprisoned during the time of such privilege, except in cases made felonies or misdemeanours by this act.

And with respect to acts of bankruptcy in general, be it enacted,

67. That if any trader liable to become bankrupt shall depart this realm, or being out of this realm shall remain abroad, or shall depart from his dwelling-house or otherwise absent himself, or begin to keep his house, or suffer himself to be arrested or taken in execution for any debt not due, or yield himself to prison, or suffer himself to be outlawed, or procure himself to be arrested or taken in execution, or his goods, money, or chattels to be attached, sequestered, or taken in execution, or make or cause to be made, either within this realm or elsewhere, any fraudulent grant or conveyance of any of his lands, tenements, goods, or chattels, or make or cause to be made any fraudulent surrender of any of his copyhold lands or tenements, or make or cause to be made any fraudulent gift, delivery, or transfer of any of his goods or chattels, every such trader doing, suffering, procuring, executing, permitting, making, or causing to be made any of the acts, deeds, or matters aforesaid, with intent to defeat or delay his creditors, shall be deemed to have thereby committed an act of bankruptcy.

68. That if any such trader shall execute any conveyance or assignment by deed of all his estate and effects to a trustee or trustees for the benefit of all the creditors of such trader, the execution of such deed shall not be deemed an act of bankruptcy, unless a petition for adjudication of bankruptcy be filed within three months from the execution thereof, provided such deed shall be executed by every such trustee within fifteen days after the execution thereof by the trader, and the execution by the trader and by every such trustee be attested by an attorney or solicitor, and notice thereof be given within one month after the execution thereof by such trader, in case such trader reside in London or within forty miles thereof, in the London Gazette, and also in two London daily newspapers, and in case such trader does not reside within forty miles of London, then in the London Gazette and in one London daily newspaper and one provincial newspaper published near to such trader's residence; and such notice shall contain the date and execution of such deed, and the name and place of abode respectively of every such trustee and attorney or solicitor.

69. That if any such trader, having been arrested or committed to prison for debt, or on any attachment for non-payment of money, shall upon such or any other arrest or commitment for debt or non-payment of money, or upon any detention for debt, lie in prison for twenty-one days, or, having been arrested or committed to prison for any other cause, shall lie in prison for twenty-one days after any detainer for debt lodged against him, and not discharged, every such trader shall thereby be deemed to have committed an act of bankruptcy; or if any such trader, having been arrested, committed, or detained for debt, shall escape out of prison or custody, every such trader shall be deemed to have thereby committed an act of bankruptcy from the time of such arrest, commitment, or detention.

70. That if any such trader shall file in the office of the Lord Chancellor's secretary of bankrupts a declaration in writing in the form contained in Schedule (D.) to this act annexed, signed by such trader, and attested by an attorney or solicitor, that he is unable to meet his engagements, every such trader shall be deemed thereby to have committed an act of bankruptcy at the time of filing such declaration, provided a petition for adjudication of bankruptcy shall be filed by or against such trader within two months from the filing of such declaration.

71. That if any such trader, after the issuing of any fiat or filing of any petition for adjudication of bankruptcy against him, shall pay money to the petitioning creditor, or give or deliver to such petitioning creditor any satisfaction or security for his debt, or for any part thereof, whereby such petitioning creditor may receive more in the pound in respect of his debt than the other creditors, such payment, gift, delivery, satisfaction, or security shall be an act of bankruptcy; and if adjudication of bankruptcy shall have been made under such fiat or petition, the court may either declare such adjudication to be valid, and direct the same to be proceeded in, or may order it to be annulled, and a petition or new petition for adjudication may be filed, and such petition or new petition

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may be supported either by proof of such last-mentioned or any other act of bankruptcy.

72. That if any plaintiff shall recover judgment in any action personal for the recovery of any debt or money demand, in any of her Majesty's courts of record, against any such trader, and shall be in a situation to sue out execution upon such judgment, and there be nothing due from such plaintiff by way of set-off against such judgment, and such trader shall not, within seven days after notice in writing personally served upon such trader, requiring immediate payment of such judgment debt, pay, secure, or compound for the same to the satisfaction of such plaintiff, every such trader shall be deemed to have committed an act of bankruptcy on the eighth day after service of such notice: provided always, that if such execution shall in the mean time be suspended or restrained by any rule, order, or proceeding of any court of justice having jurisdiction in that behalf, no further proceeding shall be had on such notice, but that it shall be lawful nevertheless for such plaintiff, when he shall again be in a situation to sue out execution on such judgment, to proceed again by notice in manner aforesaid.

73. That if any decree or order shall be pronounced in any cause depending in any court of equity, or any order shall be made in any matter of bankruptcy or lunacy, against any such trader, ordering such trader to pay any sum of money, and such trader shall disobey such decree or order, the same having been duly served upon him, the person entitled to receive such sum under such decree or order, or interested in enforcing the payment thereof pursuant thereto, may apply to the court by which the same shall have been pronounced to fix a peremptory day for the payment of such money, which shall accordingly be fixed by an order for that purpose; and if such trader, being personally served with such last-mentioned order seven days before the day therein appointed for payment of such money, shall neglect to pay the same, every such trader shall be deemed to have committed an act of bankruptcy on the eighth day after the service of such order.

74. That the filing of a petition in the Court for the Relief of Insolvent Debtors in England by any such trader who shall be in actual custody for his discharge from custody, and who shall apply by petition to such court for his discharge from custody, according to the laws for the relief of insolvent debtors in England, shall be deemed to be an act of bankruptcy from the time of filing such petition; and any petition for adjudication of bankruptcy filed against such trader, and under which he shall be adjudged bankrupt, before the time appointed by the said Court for the Relief of Insolvent Debtors, and advertised in the London Gazette, for such prisoner to be brought up to be dealt with according to the laws for the relief of insolvent debtors in England, or at any time within two months from the time of making any order vesting the estate and effects of any such prisoner in the provisional assignee of such court, whether upon the petition of such prisoner or the petition of a creditor, shall have the effect of divesting the real and personal estate and effects of such person out of the provisional assignee: provided always, that the filing of such petition shall not be deemed an act of bankruptcy, unless such trader be adjudged bankrupt before the time so advertised as aforesaid, or within such two months as aforesaid.

75. That the filing of a petition under an act passed in the 11 & 12 Vict. [c. 21], intituled "An Act to consolidate and amend the Laws relating to Insolvent Debtors in India," by any trader liable to become bankrupt under this act, and the adjudication of an act of insolvency under that act, shall, for the purposes of this act, be accounted and adjudged conclusive evidence of an act of bankruptcy committed by such trader at the time of filing such petition, or of filing the petition on which the adjudication of an act of insolvency shall be made; and any creditor or creditors of such trader whose debt or debts shall be of sufficient amount to enable him or them to petition for adjudication of bankruptcy under this act may, at any time within two months after notice of the insolvency shall have been given in the London Gazette as directed by the said act for amending the laws relating to insolvent debtors in India, petition for adjudication of bankruptcy under this act against such trader, under which petition all such proceedings may be had and taken as are authorised and directed by this act, subject to such exceptions and provisions as are contained in the last-mentioned act in this behalf.

(To be continued).

London Gazettes.

TUESDAY, September 25.

BANKRUPTS.

EDWARD WAY and JAMES MARSH BENNETT, late of Tonbridge Wells, Kent, chemists and druggists, dealers and chapmen, Oct. 11 at 1, and Nov. 6 at half-past 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Gresham, Castle-street, Holborn.—Fiat dated Sept. 5.

ARTHUR CHARMAN, Downside, Cobham, Surrey, farmer, grazier, cattle dealer, dealer and chapman, Oct. 11 and Nov. 6 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Hare, Princes-st., Spitalfields.—Fiat dated Sept. 18.

THOMAS WALLEY and PHILIP WESLEY HARDWICK, Oxford-st., Middlesex, linendrapers, dealers and chapmen, Oct. 11 at half-past 1, and Nov. 6 at 2, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sole & Turner, Aldermanbury.—Fiat dated Sept. 21.

JAMES SPARROW, Oxford, draper, dealer and chapman, Oct. 1 at 12, and Nov. 12 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Sole & Turner, Aldermanbury.—Fiat dated Sept. 14.

WILLIAM BATES, Tithby, Nottinghamshire, horse dealer, higgler, dealer and chapman, Oct. 5 and Nov. 9 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Fiat dated Sept. 18.

JOSEPH GARRISON, now or late of Helperby, Yorkshire, grocer and general shopkeeper, dealer and chapman, Oct. 12 and Nov. 1 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Robinson, Easingwold; Harle & Clarke, Leeds; Fiddey, Temple, London. — Fiat dated Sept. 10.

Meetings.

Wm. Holliday, Chatham, Kent, carpenter, Oct. 6 at 11, Court of Bankruptcy, London, last ex.—*Chas. F. Cotterill* and *Wm. H. Hill*, Walsall, Staffordshire, merchants, Oct. 13 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Sarah Stone*, Cheetham, near Manchester, baker, Oct. 18 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Willis* and *John T. Swainson*, Liverpool, merchants, Oct. 17 at 12, District Court of Bankruptcy, Liverpool, aud. ac.; Oct. 18 at 11, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Soden, Gloucester, ship broker, Oct. 15 at 11, District Court of Bankruptcy, Bristol.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 16.

Chas. Wm. Sturley, Norwich, cabinet maker.—*Robert T. Grundy*, Bury, Lancashire, money scrivener.—*W. Hutchinson*, Sutton-upon-Trent, Nottinghamshire, seed crusher.—*Chas. H. Warren*, Fawley, Southampton, surgeon.—*James Cottell*, Cowes, Isle of Wight, Southampton, plumber.—*Thos. Winter*, Nottingham, and Sherwood-hill, Basford, Nottinghamshire, builder.

Scotch Sequestrations.

Thos. Smith, Blairgowrie, grocer.—*Walter Houston*, Old Cumnock, Ayrshire, merchant.—*Jas. Reid*, Glasgow, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Abraham Hill, Torquay, Tormoham, Devonshire, merchant's clerk, Oct. 6 at 11, County Court of Devonshire, at Newton Abbot.—*Isaac Johnson*, King's Lynn, Norfolk, baker, Oct. 6 at 4, County Court of Norfolk, at King's Lynn.—*Jane Carter*, King's Lynn, Norfolk, general dealer, Oct. 6 at 4, County Court of Norfolk, at King's Lynn.—*J. Howe*, Cullompton, Devonshire, hairdresser, Oct. 11 at 10, County Court of Devonshire, at Tiverton.—*Robert James Holworthy*, Wimeswould, Leicestershire, carpenter, Oct. 8 at 11, County Court of Leicestershire, at Loughborough.—*Aaron Nicklin*, Walsall, Staffordshire, brush maker, Oct. 4 at 12, County

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Court of Staffordshire, at Walsall.—*J. Sheves*, King's Lynn, Norfolk, last maker, Oct. 6 at 4, County Court of Norfolk, at King's Lynn.—*George David Baker*, Worcester, news agent, Oct. 17 at 10, County Court of Worcestershire, at Worcester.—*John Bowmer*, Fieldhouse, near Killingworth, Northumberland, grocer, Oct. 22 at 10, County Court of Northumberland, at North Shields.—*Thomas Lane*, Birmingham, licensed victualler, Sept. 29 at 2, County Court of Warwickshire, at Birmingham.—*Eli Charles Moore*, Acton Burnell, Shropshire, coach proprietor, Oct. 9 at 10, County Court of Shropshire, at Shrewsbury.—*John Jones*, Shrewsbury, Shropshire, coach maker, Oct. 9 at 10, County Court of Shropshire, at Shrewsbury.—*John Lacey*, Shrewsbury, Shropshire, ink manufacturer, Oct. 9 at 10, County Court of Shropshire, at Shrewsbury.—*Charles Horne*, Dallington, Northamptonshire, licensed victualler, Oct. 10 at 11, County Court of Northamptonshire, at Northampton.—*J. Brooker*, Salehurst, Sussex, carpenter and undertaker, Oct. 11 at 10, County Court of Kent, at Tonbridge Wells.—*David Porkess*, Broughton, Lincolnshire, builder, Oct. 13 at 11, County Court of Lincolnshire, at Brigg.—*John Atkinson*, Boston, Lincolnshire, porter, Oct. 9 at 10, County Court of Lincolnshire, at Boston.—*Ephraim Houldey*, Gloucester, blacksmith, Oct. 8 at 10, County Court of Gloucestershire, at Gloucester.—*Samuel Putland*, Westfield, Sussex, surveyor, Oct. 8 at 1, County Court of Sussex, at Hastings.—*Robert Hindle*, Preston, Lancashire, provision dealer, Oct. 16 at 10, County Court of Lancashire, at Preston.—*William Hughes*, Manchester, surgeon, Oct. 5 at 1, County Court of Lancashire, at Manchester.—*Edwin Allen*, Lichfield, Birmingham, attorney at law, Sept. 29 at 2, County Court of Warwickshire, at Birmingham.—*Wm. Tew*, Birmingham, retail brewer, Sept. 29 at 2, County Court of Warwickshire, at Birmingham.

Saturday, Sept. 22.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Thomas, Mountfield, near Hurst-green, Sussex, publican and farmer, No. 71,472 C.; Robert Hodgson, assignee.—*Thomas Edwin Roper*, Milton next Gravesend, Kent, builder, No. 71,472 C.; Charles Cadman, assignee.—*Thomas Cambridge*, York, butter merchant, No. 71,376 C.; Mark Demaine, assignee.—*James Houlker*, Salford, Blackburn, Lancashire, ironmonger, No. 68,572 C.; William Smith, assignee.

Saturday, Sept. 22.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Fricbury Isaac, Queen's-row, Cambridge-road, Mile-end, Middlesex, out of business: in the Queen's Prison.—*Jos. Sofe*, Symons-street, Sloane-square, Chelsea, Middlesex, leather cutter: in the Queen's Prison.—*Thomas Halfhead*, Russia-lane, Old Ford-road, Bethnal-green, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*Charles Bennett*, Bell-st., Paddington, Middlesex, painter: in the Debtors Prison for London and Middlesex.—*James Potter*, Cheyne-walk, Chelsea, Middlesex, money-taker to a steam-boat company: in the Debtors Prison for London and Middlesex.—*Thomas Davis*, Broad-st., Bloomsbury, Middlesex, assistant to a newsvender: in the Debtors Prison for London and Middlesex.—*T. Saunders*, Woolwich, Kent, shopman to a grocer: in the Debtors Prison for London and Middlesex.—*Jas. J. J. Smith*, Ann's-place, Albion-st., Rotherhithe, Surrey, operative engineer: in the Gaol of Horsemonger-lane.—*H. Hitchcock*, Oxford, chemist: in the Gaol of Oxford.—*E. Moore*, Preston, Lancashire, provision dealer: in the Gaol of Lancaster.—*Wm. Peachey*, Swaffham Fen, Swaffham Prior, Cambridgeshire, labourer: in the Gaol of Cambridge.—*Wm. Hammond*, Hulme, Manchester, licensed victualler: in the Gaol of Lancaster.—*James Higham*, Wigan, Lancashire, retailer of ale: in the Gaol of Lancaster.—*Thos. Molyneux*, Scholes, Wigan, Lancashire, coal dealer: in the Gaol of Lancaster.—*S. Smith*, Thornington, Essex, cattle dealer: in the Gaol of Chelmsford.—*Wm. S. Cock*, Canterbury, Kent, out of business: in the Gaol of Canterbury.—*Joseph Shephard*, Woodford-bridge, Essex, bricklayer: in the Gaol of Chelmsford.—*Harvey Slagg*, Mosborough, Eckington, Derbyshire, maltster: in the Gaol of Derby.—*J. Wade*, Wickham Market, Suffolk, baker: in the Gaol of Ipswich.—*John Barber*, Colne, Lancashire, out of business: in the Gaol of Lancaster.—*Peter Duckworth*, Hulme, Manchester, drysalter: in the Gaol of Lancaster.—*Wm. Kearton*, Richmond, Yorkshire, butcher: in the Gaol of York.—*Wm. Leddon*, Liverpool, eating-house keeper: in the Gaol of Lancaster.—*Joseph Price*, Ashton-under-Lyne, Lancashire, retailer of ale: in the Gaol of Lancaster.—*J. Rothwell*, Ashton-under-Lyne, Lancashire, auctioneer: in the Gaol of Lancaster.—*Wm. Quirk*, Liverpool, commission agent: in the Gaol of Lancaster.—*C. Mayhew* the younger, Aston Manor, Aston, near Birmingham, out of business: in the Gaol of Coventry.—*Henry Melling*, Blackpool, Lancashire, fruit dealer: in the Gaol of Lancaster.—*J. Davis*, Bristol, butcher: in the Gaol of Bristol.—*J. Liptrot*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Herefordshire, at HEREFORD, *Oct.* 11 *at* 10.

John Pitt, Gilva, farmer.

At the County Court of Worcestershire, at WORCESTER, *Oct.* 17 *at* 10.

George Perrins, Worcester, butcher.—*Thomas Edwards*, Worcester, cabinet maker.

At the County Court of Kent, at CANTERBURY, *Oct.* 10.

Wm. S. Cock, Canterbury, out of business.

At the County Court of Monmouthshire, at MONMOUTH, *Oct.* 12 *at* 11.

Edward Page, Newport, music seller.

At the County Court of Shropshire, at SHREWSBURY, *Oct.* 9 *at* 10.

George Percival, Beckbury, out of business.—*E. Pilbrow*, Whitton, artist.

At the County Court of Essex, at CHELMSFORD, *Oct.* 10.

Joseph Shephard, Woodford, bricklayer.

FRIDAY, SEPTEMBER 28.

BANKRUPTS.

WILLIAM ROBERT SMART, Chancery-lane, and Thistlegrove, Brompton, Middlesex, auctioneer and wine merchant, dealer and chapman, Oct. 10 at 11, and Nov. 9 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Young & Son, Mark-lane, City.—Fiat dated Sept. 21.

CORNELIUS STOVIN SMITH, Louth, Lincolnshire, draper, dealer and chapman, Oct 10 at 1, and Nov. 16 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Reed & Co., Friday-street, London.—Fiat dated Sept. 21.

WILLIAM ELLIOTT, late of Lower-road, Islington, and now of Freeling-street, Caledonian-road, Islington, Middlesex, baker, Oct. 10 at half-past 1, and Nov. 16 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrance & Plews, Old Jewry-chambers.—Fiat dated Sept. 25.

EDWARD RAMSBOTTOM BARNES, North Walsham, Norfolk, tailor and draper, dealer and chapman, Oct. 5 at half-past 1, and Nov. 12 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Jay & Pilgrim, Norwich; Jay, Bucklersbury.—Fiat dated Sept. 25.

CHARLES YORKE, Cambridge, upholsterer and cabinet maker, dealer and chapman, Oct. 8 and Nov. 12 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Depree, Lawrence-lane.—Fiat dated Sept. 25.

JAMES SMITH, King-street, Snow-hill, London, engraver, printer, dealer and chapman, Oct. 6 at 1, and Nov. 3 at 11, Court of Bankruptcy, London: Off. Ass. Green; Sol. Murrough, New-inn.—Fiat dated Sept. 25.

ADOLPHUS FEISTEL, formerly of Chancery-lane, London, then of Hungerford-market, Middlesex, and Waterloo-road, Surrey, but now a prisoner for debt in the Horsemonger-lane Gaol, Surrey, wine merchant, dealer in jewellery, commission agent, dealer and chapman, Oct. 3 at 12, and Nov. 8 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. De Medina, Crosby-hall-chambers.—Fiat dated Dec. 9, 1848.

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WILLIAM SMART FOX, Narborough, Leicestershire, miller and baker, Oct. 11 at 12, and Nov. 13 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Robinson & Spooner, Leicester.—Fiat dated Sept. 14.

WILLIAM HOWES and THOMAS WOOD, Leicester, timber merchants, dealers and chapmen, Oct. 12 at 11, and Nov. 9 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Gregory, Leicester.—Fiat dated Sept. 14.

EDWARD LORD and WILLIAM ARCHER, Painswick, Gloucestershire, millers and corn factors, dealers and chapmen, Oct. 15 and Nov. 12 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. W. & C. Bevan, Bristol; White & Co., London.—Fiat dated Aug. 28.

ALEXANDER OLIPHANT MARTIN, Leeds, Yorkshire, stationer, trader, dealer and chapman, Oct. 11 and Nov. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Teale, Leeds; Ashley & Watts, Old Jewry, London. —Fiat dated Sept. 14.

JOHN YEOMANS, Sheffield, Yorkshire, merchant and table-blade manufacturer, Oct. 13 at 10, and Nov. 10 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. W. & B. Wake, Sheffield; Walter & Co., Symond's-inn, London.—Fiat dated Sept. 19.

WILLIAM LAWTON, Liverpool, auctioneer, dealer and chapman, Oct. 12 and Nov. 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Francis & Almond, Liverpool; Bridger & Collins, King William-st., London.—Fiat dated Aug. 28.

Meetings.

Edward Scott, Tunbridge Wells, Kent, innkeeper, Oct. 18 at 11, Court of Bankruptcy, London, last ex.—*Joseph Clementson*, Whitehaven, Cumberland, tobacconist, Oct. 23 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Dolphin*, Hunter-house, near Blanchland, Durham, banker, Oct. 11 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Turner*, Oldham, Lancashire, cotton spinner, Oct. 10 at 11, District Court of Bankruptcy, Manchester, last ex.—*Nathaniel Cobb*, Colchester, Essex, upholsterer, Oct. 22 at 11, Court of Bankruptcy, London, aud. ac.—*John Wright*, Northampton, corn merchant, Oct. 22 at 11, Court of Bankruptcy, London, aud. ac. —*Henry Turner*, Wolverhampton, Staffordshire, scrivener, Oct. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*George Bate*, Wolverhampton, Staffordshire, joiner, Oct. 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Davies*, Dudley Port, Staffordshire, ironmaster, Oct. 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Oct. 25 at 12, div.—*Elizabeth Aydon* and *Thomas W. Ferguson*, Newcastle-upon-Tyne, grocers, Oct. 25 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 26 at 11, div.—*John Robson*, Sunderland, Durham, grocer, Oct. 25 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Oct. 26 at 12, div.—*Thomas S. Townsend* and *W. Townsend*, Liverpool, drapers, Oct. 26 at 12, District Court of Bankruptcy, Liverpool, div.—*Sarah Stone*, Cheetham, near Manchester, baker, Oct. 26 at 12, District Court of Bankruptcy, Manchester, div.—*J. Addams*, Finsbury-square, Middlesex, surgeon, Oct. 22 at 12, Court of Bankruptcy, London, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Sargeant, Portsmouth, Southampton, fruiterer, Oct. 22 at 12, Court of Bankruptcy, London.—*James Pulham*, Broxbourne, Hertfordshire, plasterer, Oct. 26 at 1, Court of Bankruptcy, London.—*George Kirtland*, Bletchington and Hampton Gay, Oxfordshire, coal merchant, Oct. 26 at half-past 12, Court of Bankruptcy, London.—*Robert Cogan*, Leicester-sq., Middlesex, glass merchant, Oct. 26 at 11, Court of Bankruptcy, London.—*Alex. Denoon*, Adam's-court, Old Broad-st., London, merchant, Oct. 20 at half-past 1, Court of Bankruptcy, London.—*E. Mumford*, Great Maplestead, Essex, miller, Oct. 20 at 1, Court of Bankruptcy, London.—*William Reeves*, Horseferry-road, Limehouse, Middlesex, live stock dealer, Oct. 20 at 11, Court of Bankruptcy, London.—*John Morgan*, Copthall-court, London, stockbroker, Oct. 26 at half-past 11, Court of Bankruptcy, London.—*W. Shaw*, Leeds, Yorkshire, ironfounder, Dec. 10 at 11, District Court of Bankruptcy, Leeds.—*John Robson*, Sunderland, Durham, grocer, Oct. 26 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thos. Bamford*, Rochdale, Lancashire, woollen manufacturer, Oct. 23 at 12, District Court of Bankruptcy, Manchester.—*Jasper Fletcher*, Manchester, auctioneer, Oct. 22 at 12, District Court of Bankruptcy, Manchester.—*Edmund Chadwick*, *Joseph Shaw*, and *Abraham Gartside*, Oldham, Lancashire, cotton spinners, Oct. 23 at 12, District Court of Bankruptcy, Manchester.—*Benjamin Holmes*, Birmingham, shoemaker, Oct. 27 at 12, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 19.

Wm. H. Maybury, Worcester, hosier.—*Isaac Parlour*, De Beauvoir Wharf, Canal-road, Hoxton, Middlesex, stonemason.—*Thos. Barrett*, Oxford, timber merchant.—*Samuel Roberts*, Llanrhaiadr yn Mochnant, Denbighshire, innkeeper. —*A. Dickson*, Narberth, Pembrokeshire, grocer.—*H. Hollis*, Liverpool, tea dealer.—*Thos. Nokes* the elder, Upminster and Stifford, Essex, miller.—*John Bent* the younger, Dudley, Worcestershire, grocer.—*T. N. Brown*, Fetter-lane, London, pawnbroker.—*N. Bruce*, Farringdon-st., London, printer.

Fiats Annulled.

Edw. Hagen and *Henry Hagen*, Mill-street, Bermondsey, Surrey, merchants.—*John Noak*, Droitwich, Worcestershire, salt manufacturer.

Scotch Sequestrations.

John Cook, Cultenhove, Stirlingshire, farmer.—*Alexander Finlayson*, deceased, Stornoway, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Henley, Horsham, Sussex, carpenter, Oct. 2 at 12, County Court of Sussex, at Horsham.—*James Baker*, Hennens, Eardisland, Herefordshire, out of business, Oct. 11 at 10, County Court of Herefordshire, at Hereford.—*George Durrans*, Halifax, Yorkshire, dyer, Oct. 10 at 10, County Court of Yorkshire, at Halifax.—*Wm. Kershaw*, Halifax, Yorkshire, out of business, Oct. 10 at 10, County Court of Yorkshire, at Halifax.—*William Wood*, Clifton, Dewsbury, Yorkshire, shopkeeper, Oct. 12 at 10, County Court of Yorkshire, at Halifax.—*Wm. Winn*, Bradford, Yorkshire, tailor, Oct. 9 at 11, County Court of Yorkshire, at Bradford.—*Thos. Morgan*, Neath, Glamorganshire, cabinet maker, Oct. 18 at 10, County Court of Glamorganshire, at Neath.—*Llewellyn Thomas*, Britonferry, Glamorganshire, mason, Oct. 18 at 10, County Court of Glamorganshire, at Neath.—*Eli Pavey*, Combrawleigh, Devonshire, labourer, Oct. 10 at 10, County Court of Devonshire, at Honiton.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Hindle, Accrington, retail dealer in ale, No. 71,522; Abraham Sefton, assignee.—*James Findlay*, Chorlton-upon-Medlock, Manchester, joiner, No. 71,446; Charles Clegg, assignee.—*Robert Corlett*, Chorlton-upon-Medlock, Manchester, joiner, No. 71,444; Charles Clegg, assignee.—*William Sparks*, Ancoats, Manchester, retail dealer in ale, No. 71,523; Daniel Smith, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at Lancaster, *Oct.* 12 *at* 11.

Thomas Molyneux, Wigan, dyer.—*Edward Moore*, Preston, provision dealer.—*Christopher Metcalfe*, Manchester, plumber.—*James Higham*, Wigan, retailer of ale.—*Joseph Brook Wooler*, Salford, near Manchester, retail beerseller.—*James Pollard*, Hulme, Manchester, provision dealer.—*Stephen Henry Harrop*, Ashton-under-Lyne, baker.—*Joseph Price*, Ashton-under-Lyne, retailer of ale.—*John Barber*, Colne, assistant to a draper.—*Hugh Little Jones*, Liverpool, bootmaker.—*Wm. Quirk*, Liverpool, commission agent.—*George Milburn*, Radcliffe, near Bury, dyer.—*Henry Melling*, Preston, cigar dealer.—*Peter Hewitt*, St. Helen's, earthenware

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dealer.—*Wm. Hammond*, Hulme, Manchester, out of business.—*Roger Roscoe*, Chorley, carder in a cotton factory.—*Thos. Newton*, Blackburn, cotton spinner.—*Peter Mackley*, Hulme, Manchester, paperhanger.—*John Buckley*, Rushcroft, Crompton, near Oldham, warehouseman.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Oct.* 13 *at* 10.

Joseph Turner, Torquay, Tormoham, out of business.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—William John Evelyn, Esq., for the county of Surrey, (Western Division), in the room of William Joseph Denison, Esq., deceased.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—Thomas Whitty Chandler, of Sherborne, Dorsetshire; Henry Cranstoun Adams, of Exmouth, Devonshire.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—William Bowen, of Stafford, in and for the county of Stafford; Henry Andrewes Palmer, of Bristol, in and for the city of Bristol, and county of the same city, also in and for the counties of Somerset and Gloucester; James Tassall, of Faversham, in and for the county of Kent.

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		Amount of Addition.	*Per Cent. per Ann. on Sum Assured.*	*Per Cent on the Amt. of Prems. paid.*
	£ s. d.	£		
20	152 5 0	98	1·40	64·4
30	186 7 6	102	1·46	54·8
40	238 0 0	113	1·61	47·5
50	317 12 6	135	1·93	42·5
60	445 7 6	166	2·37	37·2
70	771 15 0	244	3·49	31·6
Average	..	..	2·04	46·3

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Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, OCTOBER 6, 1849.

A case has been recently decided by the Court of Queen's Bench (*Doe* d. *Clay* v. *Jones*, 13 Jur., part 1, p. 824) which shews one way, at least, in which terms for years may be kept on foot, in spite of the Assignment of Term Act, (8 & 9 Vict. c. 119). The case was, as stated by the Court, that "in 1838 Mary Humphreys, with others, mortgaged the premises in question for 1000 years to Davis. In 1839 she conveyed the fee for 1*l.*, subject to this mortgage term, to her daughter Caroline, the wife of the defendant; and this conveyance was unknown to the parties to the subsequent deeds. In 1842 she mortgaged the premises in fee to Minshall. In October, 1844, she conveyed the equity of redemption, after these mortgages, to Clay, the lessor of the plaintiff, with power to Meredith Humphreys to become jointly entitled. In December, 1844, Minshall assigned the mortgage of the fee to Richard Thompson; and the representatives of Davis, who had died, assigned the term of 1000 years to John Thompson, as trustee, there being a further advance on mortgage by Richard Thompson to Clay, and the term was declared to be 'to secure the mortgage-money to, and afterwards to be re-conveyed as Clay and Meredith Humphreys should direct.' In September, 1847, a part of the premises being required for a railway, Clay received the purchase-money from the company, and therewith paid off the mortgagees." And the judgment was as follows:—"It is not necessary to decide whether the defendant, claiming to have the fee, can maintain that this is a satisfied term, the satisfaction of the mortgages having been made not by him, but by Clay, under a mistaken belief that the equity of redemption in fee had been conveyed to himself; because we are of opinion that this term is not within either of the alternatives in the statute for determining terms. It is not attendant on the inheritance by express declaration, there being no such declaration; neither is it by construction of law, for the trust is expressly declared to be for Clay and Humphreys, who have not the inheritance; and although they were supposed to be entitled thereto when the deed was executed, that supposition is now proved to have been founded on a mistake. That mistaken supposition has no effect upon the express words of the instrument. Therefore this rule must be discharged."

If this be the true reading of the statute, it lets in the very doctrine of the old law, against the evils of which the statute is believed to have been directed. "The principle," say the Real Property Commissioners, "upon which protection is afforded by the assignment of a term is founded upon certain rules of equity. When the legal estate is vested in a trustee, he, and all persons to whom it passes as his representatives, or under a voluntary conveyance, or with any knowledge of the trust, are considered to be bound in conscience to perform the trust; but a purchaser for valuable consideration, who obtains a conveyance of the legal estate without notice of the trust, is not considered to be under any such obligation. When the owner of a legal estate has made a conveyance of it for valuable consideration, if he attempt to make a subsequent conveyance, it can have no effect. When the owner of the equitable estate sells it to one person, and afterwards sells it to another, who is ignorant of the former sale, and neither of them has obtained a conveyance of the legal estate, the first purchaser is preferred, according to the maxim 'Qui prior est tempore potior est jure;' but if the second purchaser obtain the legal estate, he thereby defeats the right of

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the first purchaser; it being considered that the second purchaser, who has paid the value of the estate without knowledge of the former sale, has a right in conscience equal in degree to that of the first purchaser; and it is an established maxim, that between equal equities the law shall prevail. If the purchaser procure the legal estate to be transferred to a trustee of his own nomination, who accepts the estate upon trusts declared by the assignment, this, for the purposes of protection, is held equivalent to the purchaser having the legal estate himself; and it may be observed, that in some cases the protection is obtained by means which are held to give the purchaser a preferable right to call for the legal estate, without his procuring an actual conveyance of it." And then they go on to point out the evils of this mode of protecting a puisne purchaser for valuable consideration, without notice.

Now, if what the act means was, that a satisfied term should or should not cease at the pleasure of the person having the control of the trustee of the term, the act is at least strangely worded for effecting such a purpose, and would manifestly be a dead letter as to putting an end to outstanding terms; since, before the act, parties might always destroy a term if they desired it, and kept it usually on foot, because they thought there was some benefit in so doing; and the passing of an act merely giving them power to do what they might do without it, and did not choose to do, is not likely to make them do so any more than they did before. The act must have meant something more; and the question is, did it not mean to destroy as far as possible the existence of satisfied terms? Could it mean to say that a satisfied term—which, if nothing was done with it, or if, in an assignment of it, nothing was said of its destination, would, as a matter of course, before the act, attend the inheritance, and be by the act determined—should be kept on foot by an assignment of it to a stranger to the inheritance—an assignment which was always inconsistent with the trust, and was, before the act, only supported on principles, to the operation of which, it was the very intention of the statute to put an end? The whole principle of the old law was, that if a puisne purchaser of an equity for valuable consideration, without notice, could any how get hold of the legal estate, it should not be taken from him. It never was pretended that it mattered at all whether the transfer to or for him of the legal estate was a breach of trust or not; nor was it ever pretended, that, in general, the transfer could be other than a breach of trust, or at least a transfer inconsistent with the trust. Now, if the statute meant to abolish the principle of protection to the purchaser by getting hold of a dry legal estate, how can it matter whether the assignment of the satisfied term is to a trustee to attend the inheritance, or to a trustee without saying for what purpose, or to a trustee to do therewith as he shall be directed by the person who is a puisne purchaser—in fact, a stranger to the inheritance? The act, we should have conceived, in the absence of the decision in *Doe* d. *Clay* v. *Jones*, contemplated two things that might be done with a satisfied term: the parties might wish to make it attend the inheritance, and the act says they shall not keep it on foot, although they express their desire to do so by declaring that it shall attend the inheritance; or the parties might otherwise act, and then the statute looks to see, not whether they intended the term to attend the inheritance, but whether it does do so. Now, there can be no question that a term attending the inheritance of A., being assigned to B. with notice then of A.'s estate, does, in the hands of B., whatever may be his moral equity as to the inheritance become a term in trust to attend A.'s inheritance; and no jugglery of words can prevent such being the fact. That B., the puisne purchaser, was permitted to repudiate the right of his cestui que trust, and hold against him, was the privilege given to him by the old law in regard to his equal moral equity—the very privilege which the act was certainly intended to destroy. If the case now commented upon be good law, parties in order to keep a term on foot, have only to assign it in trust for, or to the order of, the puisne purchaser and may so avoid the statute.

After the foregoing observations were in type we received a contribution on the same subject, which we print because it tends to shew that the constructio which we have deduced from the general scope an spirit of the act, is consistent with the strict technic import of its language.

THE REVIVAL OF ATTENDANT TERMS B THE COURT OF QUEEN'S BENCH.

A learned conveyancer, who was lately ask whether he took in "Punch," replied that he w obliged to buy the "Queen's Bench Reports," a found one comic periodical enough. In our la number we anticipated Messrs. Adolphus & Ellis the publication of one of those real property ca which constitute the amusing feature of their wor The case in question (*Doe* d. *Clay* v. *Jones*, 13 Ju 824) has probably escaped the attention of our ne conveyancing readers; and we now refer to it, n so much for the sake of the fun, which is somewh ponderous, but by way of warning, as it is the first a series of mischievous practical jokes which will pr bably be played off under cover of the Attendant Ter Act, (8 & 9 Vict. c. 112), an act whereby, as Parke, observed in a late case, (*Doe* d. *Cadwalader* v. *Pri* 1 Exch. 614, 11 Jur. 134), the Legislature has throw upon the courts of law the duty of a court of equi without the adequate machinery.

In 1838, Mary Humphreys, being owner in fee the lands in dispute, mortgaged them to Davis fo term of years to secure 60*l*. In 1842 she made a co veyance of the fee to Minshall, upon trust to secure Davis the 60*l*., and a further sum of 40*l*. In Octob 1844, in consideration of 18*l*., she made a conveyan of the equity of redemption to Clay; and by the de (in which neither Minshall nor the representatives Davis joined) it was declared, that upon payment the 100*l*. and interest owing to the executors of D vis it should be lawful for Minshall and the executo of Davis to convey all their estate and interest in t premises to Clay, or as he should direct. In Decemb 1844, Thompson advanced 100*l*. to pay off the executo of Davis, and, by way of security for that and a furth advance, took an assignment of the term to himse from the executors of Davis, and a conveyance of t

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fee from Minshall and Clay and one Meredith Humphreys (who had purchased a moiety of the equity of redemption) to a trustee; and by the proviso for redemption it was declared, that, on payment of the mortgage-debt, the term should be assigned according to the direction of Clay and Humphreys. On the 31st December, 1845, the 1st section of the Attendant Terms Act (8 & 9 Vict. c. 112) came into operation, and on the 1st January, 1846, the 2nd section of that act came into operation. In 1847, Clay and Humphreys paid the principal and interest owing to Thompson, but took no re-conveyance or assignment. On ejectment on the demises of (among others) Thompson and the trustee of the term, the defendant relied on a conveyance in fee made to his wife by Mary Humphreys, for a valuable consideration, in 1839, which conveyance had not been disclosed to the grantees in the subsequent deeds. It was argued for the plaintiffs, that the term of years created in 1838 was still subsisting, so as to entitle the plaintiffs to recover on the demise of Thompson, the trustee of that term; and of this opinion was the Court of Queen's Bench. During the argument, Patteson, J., said, "I have great doubt whether this is a *satisfied* term; the real owner of the inheritance did not pay off the mortgage." But to that it was answered, by the counsel for the defendant, that the debt was paid, and paid by one who had taken upon himself the responsibility of a debtor; and the decision proceeded on the ground, that the term, if satisfied, was not *attendant*. "It is not necessary to decide whether the defendant, claiming to have the fee, can maintain that this is a satisfied term, the satisfaction of the mortgages having been made not by him, but by Clay, under a mistaken belief that the equity of redemption in fee had been conveyed to himself; because we are of opinion that this term is not within either of the alternatives in the statute for determining terms. It is not attendant on the inheritance by express declaration, there being no such declaration; neither is it by construction of law, for the trust is expressly declared to be for Clay and Humphreys, who have not the inheritance; and although they were supposed to be entitled thereto when the deed was executed, that supposition is now proved to have been founded on a mistake. That mistaken supposition has no effect upon the express words of the instrument."

Hence it appears that the fear half expressed by Parke, B., in *Doe* v. *Price*, was not groundless; and that the Legislature, in leaving the construction of the statute to the courts of law, has placed them in the position of a bull in a china-shop, from which they are not likely to escape with credit, until they adopt the expedient of sending all cases on attendant terms for the opinion of the Court of Chancery.

To a conveyancer nothing is at once more familiar in practice, and more indefensible in principle, than the doctrine of attendant terms. One branch of it was thus expounded by Sir W. Grant, in deciding that a satisfied term not "got in" by a purchaser should not be used at law against the vendor's widow claiming her dower. (*Maundrell* v. *Maundrell*, 7 Ves. 577). "Equity regards the purposes for which the term is created and subsists, and if it is only for the benefit of the owner of the inheritance, it is considered part of the inheritance, not, indeed, absolutely merged, but so attendant upon it as to follow and acompany it and every right and interest growing out of it either by operation of law or by voluntary agreement of parties. Equity ought not therefore to permit such a term to be in any case used against the owner of the inheritance, either of the whole or a part of the inheritance; for the uses adapt and accommodate themselves to all the interests which arise out of that inheritance with which, in contemplation of equity, the term for most purposes is considered incorporated. Every description therefore of ownership shall, in its order, degree, and proportion, have a use in the term commensurate with the interest existing in the inheritance." On the rehearing of the same case, Lord Eldon carried the explanation a little further. (10 Ves. 259). "I collect from all the authorities, that, when the purposes of the trust are once satisfied in equity, the ownership of the term belongs to the owner of the inheritance, whether declared by the original conveyance to attend the inheritance or not. It is not unusual to insert that express declaration in the original conveyance. It is not uncommon to omit that. But whether it is inserted or not, the doctrine of equity is the same—that the term will attend the inheritance. As to other persons having interests in the inheritance, as contradistinguished from the dowress, that is very largely treated in *Willoughby* v. *Willoughby*. It is clear from that case, that if there is a mortgage of the inheritance, and a prior mortgagee, of whose title the other has no notice, if the subsequent mortgagee can get in a term satisfied, or, according to the later cases, not satisfied, by an assignment to trustees for him, he can protect himself against the prior incumbrancer, unless there are circumstances that give that incumbrancer a better right to call for an assignment, as there may be."

A few extracts from Lord Hardwicke's celebrated judgment in *Willoughby* v. *Willoughby* (1 T. R. 766) will complete our somewhat trite citations of authority on this subject.

"Though in all these cases this Court considers the trust of the term as annexed to the inheritance, yet the legal estate of the term is always kept separate from it, and must be so, otherwise it would be merged. And this gives the Court an opportunity to make use of such terms as a guard and protection to an *equitable owner of the inheritance* against mesne conveyances which would carry the fee at common law, or to a person who is both legal and equitable owner of the inheritance, against such mesne incumbrances as he ought not to be affected with in conscience. And here the Court often disannexes the trust of the term from the strict *legal* fee," [but still describes the term as attendant on the inheritance.] Again, if the purchaser of the inheritance "has no notice, and happens to take a defective conveyance of the inheritance—defective either by reason of some prior conveyance or of some prior charge or incumbrance; and if he also take an assignment of the term to a trustee for him, or to himself where he takes the conveyance of the inheritance to his trustee, in both these cases he shall have the benefit of the term to protect him; that is, he may make use of the legal estate of the term to defend his possession, or if he has lost the possession to recover it, at common law, notwithstanding that his adversary may, at law, have the strict title to the inheritance." . . . . "Thirdly, it was objected further, that this is to sever the trust of the term from the inheritance, and to leave the title of the inheritance to go one, and the trust of the term another way: that this was not in the power of the owner of the inheritance after his first conveyance, nor of the trustee, nor of both joining together. It is not necessary here to enter into the discussion of all the cases where a term once attendant upon the inheritance may be disannexed, and be turned into a term in gross. It is certain that it may be done at any time by the absolute owner of the inheritance; and so it is admitted by Serjeant Maynard, in his argument of *The Duke of Norfolk's case;* or it may be made to become a term in gross upon a contingency, according to the resolution of that case. But here is no question of severing or disannexing, for the defendant Cripps, the second mortgagee of the fee, claims the term as attendant upon the inheritance in him. In this court, had he come in without notice, he must be considered as a purchaser of it pro tanto by his mortgage. He contracted for the

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six-sevenths of the inheritance, and paid his money for it; and though he had the misfortune, ignorantly and innocently, to take a defective title to the inheritance, still it is the thing he bought, and desires to protect. If this were otherwise, it would prevent every puisne mortgagee or purchaser, who has got an assignment of an attendant term, from making use of it in his defence." . . . . "The trust arising from the *attendancy* is to protect against mesne incumbrances, that is to say, mesne between the creation of the term and the assignment or the use that is made of it."

From all this it appears, as every equity lawyer knows, that, though at law there can be but one title, there may be in equity a dozen conflicting titles to the same inheritance, all equally good, except in point of priority; so that if there were a dozen outstanding terms of years, each of the supposed equitable inheritances might have one of those terms attendant upon it, either by express declaration or by construction of law, (that is to say, construction of equity). The mistake committed by the Court of Queen's Bench in the above case was simply that of supposing that an attendant term is attendant on the legal inheritance, instead of being attendant upon an equitable title or claim to the inheritance, which may or may not co-exist with the legal fee in the same person, and which may even be inferior, in point of priority or otherwise, to a conflicting equitable title to the fee in another person.

In *Doe* v. *Jones* the term in question had been created to secure a debt to Davis. Subsequently Davis became entitled in equity to the inheritance as a security for the old debt and a further advance, (subject to a prior title in the defendant's wife, which did not affect his conscience); and then the term, if not *satisfied*, (a point upon which some argument might be made), certainly became *attendant* upon the fee in Davis, and in 1844 the term and the equitable fee became vested in Thompson, the former being still attendant on the latter. In the mean time, Clay and Humphreys had purchased the equitable inheritance, subject to the mortgage; and when, in 1847, they paid off the mortgage, the term was without doubt satisfied, and would have become attendant upon their equitable title to the fee by construction of equity, if the proviso for redemption in the transfer-deed of 1844 had not by anticipation expressly declared the same thing. It is true that the mortgage *debt* secured by the deed of 1838 was not satisfied and extinguished in the equity of redemption to all intents and purposes, but remained available as a protection pro tanto *in equity* against the mesne title of Mrs. Jones; but that did not prevent the object of the term, which had been created for the purpose of securing a debt, from being satisfied by the payment of that debt by persons who paid, not for the purpose of taking a transfer of the security, but with intent to discharge the land from it.

We need scarcely add, that the statute 8 & 9 Vict. c. 112, is expressly confined to satisfied terms which are attendant on the inheritance either by express declaration or by construction of law [equity], not, as the Court of Queen's Bench seems to have supposed, for the purpose of making the act entirely nugatory by confining it to cases where the person entitled to the benefit of the term is also entitled to the legal inheritance, and could not want the term if the law would let him have it, but for the purpose of excluding from its operation terms of years, which, though satisfied, are not attendant on any inheritance, but have become, by some of the means referred to by Lord Hardwicke in *Willoughby* v. *Willoughby*, terms disannexed or in gross.

The decision is unlucky, because, until it is reversed or overruled, cautious practitioners will consider themselves obliged to take assignments of satisfied terms in all cases, in the same manner as if the act had never passed.

G. S.

PUBLIC GENERAL STATUTES.

12 & 13 Victoriæ.—Session 2.

CAP. CVI.

(*Continued from p.* 377).

76. That the filing of a petition by any such trader for an arrangement between such trader and his creditors, under the provisions of this act with respect to arrangements between debtor and creditor under the superintendence and control of the court, shall be accounted and adjudged conclusive evidence of an act of bankruptcy committed by such trader at the time of filing such petition, provided a petition for adjudication of bankruptcy shall be filed against him within two months after such petition for arrangement shall have been dismissed: provided also, that no adjudication shall be made on any such act of bankruptcy unless and until after such petition for arrangement shall have been dismissed.

77. That if any creditor or creditors of any such trader having privilege of Parliament to an amount hereinafter declared to be requisite to support a petition for adjudication of bankruptcy, shall file an affidavit in any court of record at Westminster that such debt is justly due to him, and that such debtor, as he verily believes, is such trader, and shall sue out of the same court a writ of summons, in the form contained in Schedule (E.) to this act annexed, against such trader, and serve him with a copy of such summons, if such trader shall not, within one month after personal service of such summons, pay, secure, or compound for such debt to the satisfaction of such creditor or creditors, or enter into a bond in such sum, and with two sufficient sureties, as any of the judges of the court out of which such summons shall issue shall approve of, to pay such sum as shall be recovered in such action, together with such costs as shall be given in the same, and within one month next after personal service of such summons cause an appearance to be entered to such action in the proper court in which the same shall have been brought, every such trader shall be deemed to have committed an act of bankruptcy from the time of the service of such summons.

And with respect to acts of bankruptcy by reason of non-payment after summons of the court, and the proceedings thereupon, be it enacted,

78. That if any creditor of any such trader shall file an affidavit in the court in the district in which such trader shall reside, in the form specified in Schedule (F.) hereunto annexed, of the truth of his debt, and of the debtor, as he verily believes, being such trader, and of the delivery to such trader personally, or to some adult inmate at his usual or last known place of abode or business, of an account in writing of the particulars of his demand, with a notice thereunder requiring immediate payment thereof, in the form specified in Schedule (G.) annexed to this act, it shall be lawful for the court in which such affidavit shall be filed to issue a summons in writing, in the form contained in Schedule (H.) annexed to this act, calling upon such trader to appear before such court, and stating in such summons the purpose for which such trader is called upon to appear as hereinafter provided: provided always, that if the demand of a creditor appear by such affidavit to be due from two or more persons carrying on trade in partnership, the delivery of such account and notice to any one of the partners personally, or to some adult inmate at his usual or last known place of abode or business, and also at the place of business of the firm, as aforesaid, shall be sufficient to authorise the court to issue such summons against any other of such partners, as well as against the partner served personally with such account and notice.

79. That upon the appearance of any such trader so summoned as aforesaid it shall be lawful for the court to require him to state whether or not he admits the demand of the creditor, or any and what part thereof, and if such trader shall admit such demand, or any part thereof, to reduce such admission into writing in the form contained in Schedule (I.) annexed to this act; and such admission so reduced into writing such trader is hereby required to sign, and, being so signed, the same shall thereupon be filed in such court; and it shall also be lawful for the court to allow such trader upon his said appearance to make a deposition upon oath, in writing under his hand, to be filed in such court, in the form contained in Schedule (J.) annexed to this act, that he verily believes he has a good de-

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fence upon the merits to such demand, or to some and what part thereof; and in such case it shall be lawful for the court at the same time to require such trader to enter into a bond, according to the form contained in Schedule (K.) to this act annexed, in such sum and with such two sufficient sureties as the court shall approve of, to pay such sum or sums as shall be recovered, together with such costs as shall be given, in any action which shall have been or shall be brought for the recovery of such demand, or of any part thereof in respect of which such deposition shall be made.

80. That if any such trader so summoned as aforesaid shall not come before the court at the time appointed, (having no lawful impediment made known to and proved to the satisfaction of the court, and allowed), or if any such trader, upon his appearance to such summons, or at any enlargement or adjournment thereof, shall refuse to admit such demand, and shall not make a deposition, in the form aforesaid, that he believes he has a good defence upon the merits to such demand, or some part thereof, and (if required by the court so to do) enter into such bond as last aforesaid, then and in either of the said cases, if such trader shall not, within seven days after personal service of such summons, or within such enlarged time as may be granted to him in that behalf, pay, secure, or compound for such demand to the satisfaction of such creditor, or enter into a bond, in such sum and with two sufficient sureties as such court shall approve of, to pay such sum as shall be recovered in any action which shall have been brought or shall thereafter be brought for the recovery of the same, together with such costs as shall be given in such action, as the case may be, every such trader shall be deemed to have committed an act of bankruptcy on the eighth day after service of such summons, provided a petition for adjudication of bankruptcy shall be filed against such trader within two months from the filing of such affidavit.

81. That if any such trader so summoned as aforesaid shall upon his appearance sign and file an admission of such demand in form aforesaid, and shall not within seven days next after the filing of such admission pay or tender and offer to pay to such creditor the amount of such demand, or secure or compound for the same to the satisfaction of the creditor, every such trader shall be deemed to have committed an act of bankruptcy on the eighth day after the filing of such admission, provided a petition for adjudication of bankruptcy shall be filed against such trader within two months from the filing of such affidavit.

82. That if any such trader so summoned as aforesaid shall upon his appearance sign an admission for part only of such demand in the form aforesaid, and shall not make a deposition in the form aforesaid that he believes he has a good defence upon the merits to the residue of such demand, and (if required by the court so to do) enter into such bond as aforesaid to pay such sum or sums as shall be recovered, together with such costs as shall be given, in any such action as aforesaid for the recovery of such residue, then and in such case, if such trader, as to the sum so admitted, shall not, within seven days next after the filing of such admission, pay or tender and offer to such creditor the sum so admitted, or secure or compound for the same to the satisfaction of the creditor, and as to the residue of such demand shall not, within seven days after personal service of such summons, or within such enlarged time as may be granted to him in that behalf, pay, secure, or compound for the same to the satisfaction of such creditor, or enter into a bond, in such sum and with two sufficient sureties as the court shall approve of, to pay such sum as shall be recovered in any action which shall have been brought or shall thereafter be brought for the recovery of the same, together with such costs as shall be given in such action, every such trader shall be deemed to have committed an act of bankruptcy on the eighth day after service of such summons, provided a petition for adjudication of bankruptcy shall be filed against such trader within two months from the filing of such affidavit.

83. That if any such trader so summoned as aforesaid shall upon his appearance refuse to sign the admission in that behalf required, whatever may be the nature of his statement, or whether he makes any statement or not, it shall be deemed, for the purposes of this act, that every such trader thereby refuses to admit such demand: provided always, that it shall be lawful for the court, upon reasonable cause shewn, to enlarge the time for calling upon such trader to state whether or not he admits such demand, or any part thereof, and for entering into such bond, or for any or either of such matters, for such time as the court shall think fit.

84. That an admission of any debt made after such summons, and signed by any such trader elsewhere than before the court, may be filed in court, and shall be of the same force and effect to all intents and purposes as an admission signed by such trader on his appearance in court, provided such admission be made in the form contained in Schedule (L.) to this act annexed, and there be present some attorney of one of her Majesty's superior courts of law on behalf of such trader, expressly named by him and attending at his request, to inform him of the effect of such admission before the same is signed by such trader, and provided also that such attorney do subscribe his name thereto as a witness to the due execution thereof, and in such attestation declare himself to be attorney for the said trader, and state therein that he subscribes as such attorney.

85. That where any such trader against whom an affidavit of debt is filed by any creditor as aforesaid shall be summoned to appear before the court in which such affidavit shall be filed, every such creditor or trader shall have such costs as the court in its discretion shall think fit, or the court may direct the costs of either party of, incident to, or attendant upon such affidavit and summons to abide the event of any action which shall have been brought or shall thereafter be brought for the recovery of such demand or any part thereof, and in such case such costs shall be costs in the cause, and recovered under the judgment and execution in such action.

86. That in every action brought after the commencement of this act, wherein any such creditor is plaintiff and any such trader is defendant, and wherein the plaintiff shall not recover the full amount of the sum for which he shall have filed an affidavit of debt as aforesaid, such defendant shall be entitled to costs of suit, to be taxed according to the custom of the court in which such action shall have been brought, provided that it shall be made appear to the satisfaction of the court in which such action is brought, upon motion to be made in court for that purpose, and upon hearing the parties by affidavit, that the plaintiff in such action had not any reasonable or probable cause for making such affidavit of debt in such amount as aforesaid, and provided such court shall thereupon, by rule or order, direct that such costs shall be allowed to the defendant; and the plaintiff shall, upon such rule or order being made, be disabled from taking out any execution for the sum recovered in any such action, unless the same shall exceed (and then in such sum only as the same shall exceed) the amount of the taxed costs of the defendant in such action; and in case the sum recovered in any such action shall be less than the amount of the costs to be taxed as aforesaid of the defendant, then the defendant shall be entitled, after deducting the sum of money recovered by the plaintiff in such action from the amount of his costs so to be taxed, to take out execution for such costs in like manner as a defendant may now by law have execution for costs in other cases.

87. That if any accredited agent of any body corporate or public company shall have had notice of any act of bankruptcy, such body corporate or company shall be deemed to have had such notice.

88. That no person shall be liable to become bankrupt by reason of any act of bankruptcy committed more than twelve months prior to the issuing of any fiat in bankruptcy or the filing of any petition for adjudication of bankruptcy against him, and that no adjudication of bankruptcy shall be deemed invalid by reason of any act of bankruptcy prior to the debt of the petitioning creditor, provided there be a sufficient act of bankruptcy subsequent to such debt.

And with respect to the proceedings before adjudication of bankruptcy, be it enacted,

89. That proceedings to obtain adjudication of bankruptcy shall be by petition, (such petition, if presented by a creditor, being in the form specified in the Schedule (M.) to this act annexed, and the truth thereof verified by the affidavit of the petitioner in the form specified in the Schedule (N.) to this act annexed, and if presented by a trader, being in the form specified in the Schedule (O.) to this act annexed, and the truth thereof verified by the affidavit of such trader in the form specified in the Schedule (N.) to this act annexed); and every such petition shall be filed of record and prosecuted as directed by this act; and from and after the filing of such petition the court

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shall by virtue of this act, and without any commission, fiat, or special authority whatsoever, have full power and authority to take such order and direction with the body of the bankrupt as mentioned in this act, as also with all his lands, tenements, and hereditaments, both within this realm and abroad, as well copy or customary hold as freehold, which he shall have in his own right before he became bankrupt, as also with all such interest in any such lands, tenements, and hereditaments as such bankrupt may lawfully depart withal, and with all his money, fees, offices, annuities, goods, chattels, wares, merchandise, and debts, wheresoever they may be found or known, and to make or order sale thereof in manner herein mentioned, or otherwise order the same for satisfaction and payment of the creditors of the bankrupt.

90. That every petition for adjudication of bankruptcy against or by any trader liable to become bankrupt shall be filed and prosecuted in the court within the district of which such trader shall have resided or carried on business for six months next immediately preceding the time of filing such petition, except where otherwise in this act specially provided: provided always, that the senior commissioner shall have power, whenever he may deem it expedient, to order any petition against or by any trader to be prosecuted in any district with or without reference to the district in which the trader shall have resided or carried on business, or to consolidate the proceedings, or any part thereof, under two or more petitions for adjudication of bankruptcy, or to impound any petition for adjudication of bankruptcy, and the proceedings thereunder, or any part thereof, upon such terms as the senior commissioner shall think fit, or to transfer any petition for adjudication of bankruptcy, and the proceedings thereunder, and the prosecution or the further prosecution thereof, from the court in any one district to the court in any other district, and the court to which any such transfer shall be made may remove the official assignee, and appoint a new official assignee to any such bankruptcy; and any such order by the senior commissioner may be in such of the forms contained in the Schedules (P.), (Q.), or (R.) to this act annexed as may be adapted to the case, or to the like effect.

91. That the amount of the debt of any creditor petitioning for adjudication of bankruptcy shall be as follows; that is to say, the single debt of such creditor, or of two or more persons being partners, so petitioning, shall amount to 50*l.* or upwards, and the debt of two creditors so petitioning shall amount to 70*l.* or upwards, and the debt of three or more creditors so petitioning shall amount to 100*l.* or upwards; and every person who has given credit to any trader upon valuable consideration for any sum payable at a certain time, which time shall not have arrived when such trader committed an act of bankruptcy, may so petition or join in petitioning, whether he shall have had any security in writing for such sum or not.

92. That a petition for adjudication of bankruptcy against any trader indebted in the amount aforesaid to any copartnership duly authorised to sue and be sued in the name of a public officer of such copartnership, may be filed by such public officer as the nominal petitioner for and on behalf of such copartnership.

93. That any trader liable to become bankrupt may petition for adjudication of bankruptcy against himself: provided always, that unless such trader shall forthwith, after the filing of his petition, and before adjudication of bankruptcy thereunder, make it appear to the satisfaction of the court that his available estate is sufficient to pay his creditors at least 5*s.* in the pound, clear of all charges (to be estimated by the court) of prosecuting the bankruptcy, such petition shall be dismissed, and no further petition shall be filed by such trader in the same district without the leave of the court first obtained for that purpose, and the adjudication on any further petition shall be subject to the like condition as aforesaid as to the available estate of the trader.

94. That every petition for adjudication of bankruptcy presented to the court in London shall be filed in the office of the chief registrar, and such chief registrar shall immediately cause the same to be entered in a book to be kept by him for that purpose, to be called "The General Docket Book," (which book shall be in the form contained in Schedule (S.); and every such petition shall be allotted, in such manner as may by any general rule or order made in pursuance of this act be directed, to one of the commissioners of the court, and it shall be transmitted forthwith to the registrar attending such commissioner, who, when adjudication shall have been made, shall deliver to the chief registrar a duplicate of such adjudication, in order that the same may be minuted in the general docket book; and all petitions presented to the court in the country districts shall be filed with the respective registrars thereof, who shall in like manner enter the same in similar docket books, (one of which shall be kept in each court), and in districts where there is more than one commissioner one of such commissioners or one of the registrars shall allot the petitions by ballot, or in such manner as the commissioners of such district court may from time to time direct.

95. That the registrars acting in the country shall transmit daily by post to the chief registrar copies of all entries made by them in their docket books, and of all adjudications made in the respective district courts, and the chief registrar shall immediately on the receipt thereof cause the same to be entered in the general docket book; and when any fiat or petition in prosecution in any of the courts, or any adjudication of bankruptcy made therein, shall have been superseded, dismissed, or annulled, or when the time allowed to any petitioning creditor for proceeding shall have been extended, the registrar in attendance on the commissioner making such order shall forthwith transmit a certified copy thereof to the chief registrar, who shall cause the same to be minuted in the general docket book.

96. That if the petitioning creditor in any petition for adjudication of bankruptcy shall not proceed and obtain adjudication within three days after his petition shall have been filed, or within such extended time as shall be allowed by the court, the court may at any time within fourteen days then next following, upon the application of any other creditor to the amount required to constitute a petitioning creditor, proceed to adjudicate on such petition, upon the proof of the debt of such creditor, and of the other requisites to support such petition, (except the debt of the petitioning creditor); but if neither the petitioner nor any other creditor shall within such fourteen days, or within such extended time as may be granted by the court for that purpose, apply to the court to adjudicate upon such petition, no further proceeding shall be taken thereon.

97. That any creditor whose debt is sufficient to entitle him to petition for adjudication of bankruptcy against all the partners of any firm may petition for such adjudication against one or more partners of such firm, and every such petition shall be valid, although it does not include all the partners of the firm; and in every petition for adjudication against two or more persons the court may dismiss the same as to one or more of such persons, and the validity of such petition shall not be thereby affected as to any person as to whom such petition is not ordered to be dismissed, nor shall any such person's certificate be thereby affected.

98. That after a fiat issued, or a petition for adjudication of bankruptcy filed, against or by one or more member or members of a firm, any petition or petitions for adjudication of bankruptcy against or by any other member or members of such firm shall be filed and prosecuted in the court in which the first fiat or petition was prosecuted; and immediately after the adjudication under such other petition or petitions all the estate, real and personal, of such bankrupt or bankrupts shall vest in the official assignee and the creditors' assignee (if any) under the first fiat or petition; and thereafter all separate proceedings under such petition or petitions shall be stayed, and such petition or petitions shall, without affecting the validity of the first fiat or petition, be annexed to and form part of the same; provided that the senior commissioner may direct that such other petition or petitions shall be filed and prosecuted in any other court, or be proceeded in either separately or in conjunction with the first fiat or petition; and such direction shall be made by a memorandum to that effect indorsed on such petition or petitions, and under the hand of the senior commissioner.

99. That whenever any petition for adjudication of bankruptcy shall have been filed against any person, and it shall be proved to the satisfaction of the court that there is probable cause for believing that such person is about to quit England or to remove or conceal any of his goods or chattels, with intent to defraud his creditors, unless he be forthwith apprehended, it shall be lawful for the court to issue a warrant, directed to the messenger of the court and his assistants, or to such person or persons as the court shall think fit, whereby such messenger and

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his assistants, or other person or persons, shall have authority to arrest the person against whom such petition shall have been filed, and also to seize his books, papers, monies, securities for monies, goods, and chattels, wheresoever he or they may be found, and him and them safely keep until the expiration of the time allowed for adjudication on such petition, or until such person shall be adjudged bankrupt under such petition, and be thereon dealt with according to this act: provided always, that any person arrested upon any such warrant, or any person whose books, papers, monies, securities for monies, goods, or chattels have been seized under any such warrant, may apply, at any time after such arrest or seizure, to the court, for an order or rule on the petitioning creditor to shew cause why the person arrested should not be discharged out of custody, or why his books, papers, monies, securities for monies, goods, and chattels should not be delivered up to him; and it shall be lawful for such court to make absolute or discharge such order or rule.

100. That the court, before adjudication, may summon before it any person whom such court shall believe capable of giving any information concerning the trading of or any act of bankruptcy committed by the person against whom any petition for adjudication of bankruptcy has been filed, and may require any person so summoned to produce any books, papers, deeds, and writings, and other documents, in his custody, possession, or power, which may appear to the court to be necessary to establish such trading or act of bankruptcy; and it shall be lawful for the court to examine any such person upon oath, by word of mouth, or interrogatories in writing, concerning such trading and act of bankruptcy.

And with respect to the adjudication of bankruptcy, and the proceedings for securing the property and surrender of the bankrupt, be it enacted,

101. That the court, under a petition filed by a creditor, shall, upon proof of the petitioning creditor's debt, and of the trading and act of bankruptcy of the person against whom such petition is filed, adjudge such person bankrupt; or if in case of the failure of the petitioning creditor to proceed and obtain adjudication within three days after his petition shall have been filed, or within such extended time as may be allowed by the court, another creditor shall apply for adjudication upon such petition, then upon such application, and proof of such creditor's debt, and of the trading and act of bankruptcy of the person against whom such petition is filed, the court shall adjudge such trader bankrupt; and, under a petition filed by a trader, the court, upon the application of such trader, and upon proof of the trading and of the filing a declaration of insolvency, and of the sufficiency of his available estate to the extent required by this act, shall adjudge such trader bankrupt.

102. That forthwith after adjudication the court shall appoint an official assignee to act as hereinbefore provided in this behalf.

103. That if after adjudication of bankruptcy the debt of the petitioning creditor be found by the court to be insufficient to support such adjudication, it shall be lawful for the court, upon the application of any other creditor having proved any debt sufficient to support an adjudication, to order the petition for adjudication of bankruptcy to be proceeded in, and it shall by such order be deemed valid, which order may be in the form contained in Schedule (T.) to this act annexed, or to the like effect.

104. That before notice of any adjudication of bankruptcy shall be given in the London Gazette, and at or before the time of putting in execution any warrant of seizure which shall have been granted upon such adjudication, a duplicate of such adjudication shall be served on the person adjudged bankrupt, personally, or by leaving the same at the usual or last known place of abode or place of business of such person; and such person shall be allowed seven days, or such extended time, not exceeding fourteen days in the whole, as the court shall think fit, from the service of such duplicate, to shew cause to the court against the validity of such adjudication; and if such person shall within such time shew to the satisfaction of the court that the petitioning creditor's debt, trading, and act of bankruptcy upon which such adjudication has been grounded, or any or either of such matters, are insufficient to support such adjudication, and upon such shewing no other creditor's debt, trading, and act of bankruptcy sufficient to support such adjudication, or such of the said last-mentioned matters as shall be requisite to support such adjudication, in lieu of the petitioning creditor's debt, trading, and act of bankruptcy, or any or either of such matters, which shall be deemed insufficient in that behalf, as the case may be, shall be proved to the satisfaction of the court, the court shall thereupon order, (in the form contained in Schedule (U.) to this act annexed, or to the like effect), such adjudication to be annulled, and the same shall by such order be annulled accordingly; but if at the expiration of the said time no cause shall have been shewn to the satisfaction of the court for the annulling of such adjudication, the court shall, forthwith after the expiration of such time, cause notice of such adjudication to be given in the London Gazette, and shall thereby appoint two public sittings of the court for the bankrupt to surrender and conform, the last of which sittings shall be on a day not less than thirty days and not exceeding sixty days from such advertisement, and shall be the day limited for such surrender: provided always, that the court shall have power from time to time to enlarge the time for the bankrupt surrendering himself for such time as the court shall think fit, so as every such order be made six days at least before the day on which such bankrupt was to surrender himself: provided also, that if any person so adjudged bankrupt shall, before the expiration of the time allowed for shewing cause, surrender himself, and give his consent, testified in writing under his hand, to such adjudication being advertised, the court, after such consent so given, shall forthwith cause the notice of adjudication to be advertised, and appoint the sittings for the bankrupt to surrender and conform.

105. That forthwith after the insertion of the notice of adjudication in the Gazette, or, if the bankrupt before the expiration of the time allowed for shewing cause against the adjudication surrender himself and give consent to such insertion, forthwith after such surrender, the bankrupt shall (if thereto required by the official assignee) deliver up to the official assignee, upon oath before the court, or before a master ordinary or extraordinary in Chancery, or justice of the peace, all books of account, papers, and writings relating to his estate in his custody or power, and discover such as are in the custody or power of any other person; and every bankrupt, not in prison or custody, shall at all times after such surrender attend the assignees, upon every reasonable notice in writing for that purpose given by them to him or left at his usual or last known place of abode, and shall assist such assignees in making out the accounts of his estate; and such bankrupt, after he shall have surrendered, may at all seasonable times before the expiration of such time as shall be allowed to him to finish his examination, inspect his books, papers, and writings in the presence of his assignees, or any person appointed by them, and bring with him each time any two persons to assist him; and every such bankrupt, after he shall have obtained his certificate, shall, upon demand in writing given to him or left at his usual or last known place of abode, attend the assignees to settle any accounts between his estate and any debtor to or creditor thereof, or attend any court of record to give evidence touching the same, or do any act necessary for getting in or protecting the said estate, for which attendance he shall be paid 5*s.* per day by the official assignee out of his estate.

106. That in all cases where it shall be made to appear to the satisfaction of the court that there is reason to suspect and believe that any property of any bankrupt is concealed in any house or other place not belonging to such bankrupt, the court may grant a search warrant to the messenger and his assistants, or other person appointed by the court, and it shall be lawful for such messenger and his assistants, or other person, to execute such warrant according to the tenor thereof; and such messenger and his assistants, or other person, shall be entitled to the same protection as is allowed by law in execution of a search warrant for property reputed to be stolen or concealed; and every such search warrant shall be in the form contained in Schedule (V.) to this act annexed, or to the like effect.

107. That no action shall be brought against any messenger or his assistants, or other person appointed by the court, for anything done in obedience to any warrant of the court, unless demand of the perusal and copy of such warrant hath been made or left at the usual place of abode of such messenger or his assistant, or other person, by the party intending to bring such action, or by his attorney or agent, in writing signed by the party demanding the same, and unless the same hath been

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refused or neglected for six days after such demand; and if after such demand, and compliance therewith, any action be brought against such messenger or assistant, or person so appointed, without making the petitioning creditor defendant, if living, the jury, at the trial of such action, on the production and proof of such warrant, shall give their verdict for the defendant, notwithstanding any defect of jurisdiction in the court by which such warrant shall have been granted; and if such action be brought against the petitioning creditor and the messenger or assistant, or person so appointed, the jury shall, on proof of such warrant, give their verdict for such messenger or assistant, or person so appointed, notwithstanding any such defect of jurisdiction; and if the verdict shall be given against the petitioning creditor the plaintiff shall recover his costs against him, to be taxed so as to include such costs as the plaintiff is liable to pay to the messenger and his assistant, or person so appointed as aforesaid.

108. That in any such action brought against the petitioning creditor, either alone or jointly with any messenger or assistant, or other person so appointed by the court, for anything done in obedience to the warrant of the court, proof by the plaintiff in such action that the defendant or defendants, or any of them, is or are petitioning creditor or creditors, shall be sufficient for the purpose of making such defendant or defendants liable, in the same manner and to the same extent as if the act complained of in such action had been done or committed by such defendant or defendants.

109. That it shall be lawful for any messenger of the court and his assistants acting under warrant of the court to break open any house, chamber, shop, warehouse, door, trunk, or chest of any bankrupt where such bankrupt or any of his property shall be reputed to be, and seize upon the body or property of such bankrupt; and if the bankrupt be in prison or in custody, it shall be lawful for the messenger and his assistants to seize any property of the bankrupt (his necessary wearing apparel only excepted) in the custody or possession of such bankrupt or of any other person, in any prison or place where such bankrupt is in custody.

110. That it shall be lawful for the messenger and his assistants acting under warrant of the court to break open any house, chamber, shop, warehouse, door, trunk, or chest of the bankrupt in Ireland, where any of his property shall be reputed to be, and to seize the same; provided such warrant shall have been verified upon oath before and backed or indorsed by the mayor or chief magistrate of the city, borough, or town corporate where or near to which the same is executed; and provided also, that the messenger shall, before a justice of the peace residing in the county where such property shall be reputed to be, depose upon oath that he is the person named in such warrant.

111. That if in the execution of any such warrant of seizure granted by the court it shall be necessary to break open any house, chamber, shop, warehouse, door, trunk, or chest of the bankrupt in Scotland, where any of the property of such bankrupt shall be reputed to be, or to seize and get possession of such property, such warrant, after having been verified upon oath, may be backed or indorsed by any judge ordinary or justice of the peace in Scotland, who are hereby required, within their respective jurisdictions, to back or indorse the same; and such warrant so indorsed shall be sufficient authority to the messenger or his assistant bringing such warrant, and to all officers of the law in Scotland, to execute the same within the county or burgh wherein it is so indorsed, and in virtue thereof to break open the house, chamber, shop, warehouse, door, trunk, or chest of such bankrupt, and to seize and take possession of such property, to be distributed under the bankruptcy, or otherwise dealt with according to law.

112. That if the bankrupt be not in prison or custody at the date of the adjudication, he shall be free from arrest or imprisonment by any creditor in coming to surrender, and after such surrender during the time by this act limited for such surrender, and for such further time as shall be allowed him for finishing his examination, and for such time after finishing his examination until his certificate be allowed as the court shall from time to time by indorsement upon the summons of such bankrupt think fit to appoint; and whenever any bankrupt is in prison or in custody under any process, attachment, execution, commitment, or sentence, the court may, by warrant directed to the person in whose custody he is confined, cause him to be brought before it at any sitting, either public or private, and if he be desirous to surrender he shall be so brought up, and the expense thereof shall be paid out of his estate, and such person shall be indemnified by the warrant of the court for bringing up such bankrupt; and where any person who has been adjudged bankrupt, and has surrendered and obtained his protection from arrest, is in prison or in custody for debt at the time of his obtaining such protection, the court may, except in the cases next hereinafter mentioned, order his immediate release, either absolutely or upon such conditions as it shall think fit: provided always, that the court shall not order such release where it shall appear by any judgment, order, commitment, or sentence under which the bankrupt is in prison or in custody, or by the record or entry of any such judgment, order, commitment, or sentence, and the pleadings or proceedings previously thereto, that he is in prison or in custody for any debt contracted by fraud or breach of trust, or by reason of any prosecution against him whereby he had been convicted of any offence, or for any debt contracted by reason of any judgment in any proceeding for breach of the revenue laws, or in any action for breach of promise of marriage, seduction, criminal conversation, libel, slander, assault, battery, malicious arrest, malicious trespass, maliciously suing out a fiat in bankruptcy, or maliciously filing or prosecuting a petition for adjudication of bankruptcy: provided also, that such release shall in nowise affect any rights of the creditor at whose suit the bankrupt may be in prison or in custody against the bankrupt, except the right of detaining him in prison or in custody whilst protected from imprisonment by order of the court.

113. That if any bankrupt shall be arrested for debt, or on any escape warrant in coming to surrender, or shall after his surrender and while protected by order of the court be so arrested, he shall, on producing such protection to the officer who shall arrest him, and giving such officer a copy thereof, be immediately discharged; and if any officer shall detain any such bankrupt after he shall have shewn such protection to him, except for so long as shall be necessary for obtaining a copy of the same, such officer shall forfeit to such bankrupt, for his own use, the sum of 5*l.* for every day he shall detain such bankrupt, to be recovered by action of debt in any court of record at Westminster, in the name of such bankrupt, with full costs of suit.

114. That the petitioning creditor shall at his own costs file and prosecute his petition, until the choice of assignees by the creditors; and the court shall, at or after the sitting for such choice, make order for the payment thereof out of the estate of the bankrupt, in course of priority to be settled by any general rule or order to be made in pursuance of this act.

115. That no fiat in bankruptcy shall be annulled, nor any petition for adjudication of bankruptcy dismissed, nor any adjudication reversed, by reason only that the fiat, petition, or adjudication, or act of bankruptcy, has been concerted or agreed upon between the bankrupt, his solicitor, or agent, or any of them, and any creditor or other person.

116. That if any bankrupt shall die after adjudication, the court may proceed in the bankruptcy as if such bankrupt were living.

117. That the court may summon any bankrupt before it, whether such bankrupt shall have obtained his certificate or not; and in case he shall not come at the time appointed by the court, (having no lawful impediment made known to and allowed by the court at such time), it shall be lawful for the court, by warrant, to authorise and direct any person or persons the court shall think fit to apprehend and arrest such bankrupt, and bring him before the court; and upon the appearance of such bankrupt, or if such bankrupt be present at any sitting of the court, it shall be lawful for the court to examine such bankrupt after he shall have made and signed the declaration contained in Schedule (W.) to this act annexed, either by word of mouth or on interrogatories in writing, touching all matters relating to his trade, dealings, or estate, or which may tend to disclose any secret grant, conveyance, or concealment of his lands, tenements, goods, money, or debts, and to reduce his answers into writing, which examination so reduced into writing the said bankrupt shall sign and subscribe.

118. That it shall be lawful for the court to summon before it the wife of any bankrupt, and to examine her, after she shall have made and signed the declaration contained in Schedule (W.) to this act annexed, either by word of mouth or interrogatories in writing, for the finding out and discovery of the

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estate, goods, and chattels of such bankrupt, concealed, kept, or disposed of by such wife, in her own person or by her own act, or by any other person, and she shall incur such danger or penalty for not coming before the court, or for refusing to be sworn and examined, or for refusing to sign or subscribe her examination, or for not fully answering to the satisfaction of the court, as is hereinafter provided.

119. That if in any case it shall be proved to the satisfaction of the court that any bankrupt is keeping out of the way, and cannot be personally served with a summons, and that due pains have been taken to effect such personal service, or that there is probable cause for believing that he is about to quit England, or to remove or conceal any of his goods or chattels, unless he be forthwith apprehended, it shall be lawful for such court, by warrant, to authorise and direct any person or persons it shall think fit to apprehend and arrest such bankrupt, and bring him before the court, to be examined in like manner as if he appeared upon a summons.

120. That after adjudication it shall be lawful for the court to summon before it any person known or suspected to have any of the estate of the bankrupt in his possession, or who is supposed to be indebted to the bankrupt, or any person the court may believe capable of giving information concerning the person, trade, dealings, or estate of the bankrupt, or concerning any act of bankruptcy committed by him, or any information material to the full disclosure of his dealings; and the court may require such person to produce any books, papers, deeds, writings, or other documents in his custody or power which may appear to the court necessary to the verification of the deposition of such person, or to the full disclosure of any of the matters which the court is authorised to inquire into; and if such person so summoned as aforesaid shall not come before the court at the time appointed, (having no lawful impediment made known to the court at the time of its sitting, and allowed by it), it shall be lawful for the court, by warrant, to authorise and direct the person or persons therein named for that purpose to apprehend and arrest such person, and bring him before the court for examination.

121. That where it shall be shewn by affidavit to the satisfaction of the court that any person to whom any such summons is directed as aforesaid is keeping out of the way, and cannot be personally served therewith, and that due pains have been taken to effect such personal service, it shall be lawful for the court to order by indorsement upon the summons that the delivery of a copy of such summons to the wife or servant, or some adult inmate of the house or family of the person at his usual or last known place of abode or business, and explaining the purport thereof to such wife, servant, or inmate, shall be equivalent to personal service, and in every such case the service of such summons in pursuance of such order shall be and be deemed and taken to be of the same force and effect, to all intents and purposes, as if the party to whom such summons was directed had been personally served therewith.

122. That upon the appearance of any person summoned or brought before the court upon any warrant as aforesaid, or if any person be present at any sitting of the court, it shall be lawful for the court to examine every such person upon oath, either by word of mouth or by interrogatories in writing, concerning the person, trade, dealings, or estate of any bankrupt, or concerning any act or acts of bankruptcy by any bankrupt committed, and to reduce into writing the answers of every such person, and such answers so reduced into writing such person examined is hereby required to sign and subscribe.

123. That if any such person examined as last aforesaid shall, in and by his examination, signed and subscribed as aforesaid, and also in and by a separate writing in the form contained in Schedule (X.) to this act annexed, admit that he is indebted to the bankrupt in any sum of money upon the balance of accounts, it shall be lawful for the court, if it think fit, to order (in the form contained in Schedule (Y.) to this act annexed, or to the like effect) that such person shall forthwith, or at such time and in such manner as to the court may seem expedient, pay the amount so admitted, in full discharge thereof, to the official assignee, together with the costs of and incident to the summons of such person, if the court think fit to award costs, or the court may, if it think fit, in the said form contained in Schedule (Y.) to this act annexed, order the official assignee to pay the costs of the person summoned out of the estate of the bankrupt; and every such order shall have the effect of a judgment in her Majesty's superior courts of common law, and may be enforced accordingly: provided always, that no such order shall be made unless there be present some attorney of one of the superior courts on behalf of the person making such admission, expressly named by him, or, upon his refusal to name such attorney, named by the court to act upon his behalf, to inform him of the effect of such admission, before the same is signed and subscribed as aforesaid, and that such attorney do sign his name as a witness to such admission in the form contained in Schedule (Y.) to this act annexed: provided also, that if part only of the sum actually due be so admitted, or if the court make an order for part only of the sum admitted, the residue may be recoverable in the same manner in all respects as if no such admission or order had been made.

124. That the court may order that, for a period of three months from the date of any such order, all post letters directed or addressed to any bankrupt at the place of which he shall be described in the petition for adjudication of bankruptcy shall be re-directed, re-addressed, sent, or delivered by the Postmaster-General, or the officers acting under him, to the official or other assignee or other person named in such order; and upon notice by transmission of a duplicate of any such order to the Postmaster-General or the officers acting under him, by the official or other assignee or other person named in such order, of the making of such order, it shall be lawful for the Postmaster-General or such officers as aforesaid, in England, Scotland, or Ireland, to re-address, re-direct, send, or deliver all such post letters to the official or other assignee or other person named in such order accordingly; and the court may, upon any application to be made for that purpose, renew any such order for a like or for any other less period as often as may be necessary.

And with respect to the power of the court over certain descriptions of property, be it enacted,

125. That if any bankrupt at the time he becomes bankrupt shall, by the consent and permission of the true owner thereof, have in his possession, order, or disposition any goods or chattels whereof he was reputed owner, or whereof he had taken upon him the sale, alteration, or disposition as owner, the court shall have power to order the same to be sold and disposed of for the benefit of the creditors under the bankruptcy: provided that nothing herein contained shall invalidate or affect any transfer or assignment of any ship or vessel, or any share thereof, made as a security for any debt or debts, either by way of mortgage or assignment, duly registered according to the provisions of an act made in the Parliament holden in the 8 & 9 Vict. [c. 89], intituled "An Act for the registering of British Vessels," or any of the acts therein mentioned.

126. That if any bankrupt, being at the time insolvent, shall (except upon the marriage of any of his children, or for some valuable consideration) have conveyed, assigned, or transferred to any of his children, or to any other person, any hereditaments, offices, fees, annuities, leases, goods, or chattels, or have delivered or made over to any such person any bills, bonds, notes, or other securities, or have transferred his debts to any other person or into any other person's name, the court shall have power to order the same to be sold and disposed of for the benefit of the creditors under the bankruptcy; and every such sale shall be valid against the bankrupt, and such children and persons, and against all persons claiming under him.

127. That if any real or personal estate or debts of any bankrupt be extended, after he shall have become bankrupt, by any person, under pretence of his being an accountant of or debtor to the Queen, the court may examine upon oath whether the said debt was due to such debtor or accountant upon any contract originally made between such accountant and the bankrupt; and if such contract was originally made with any other person than the said debtor or accountant, or in trust for any other person, the court may order such real and personal estate or debts to be sold, for the benefit of the creditors under the bankruptcy, and such sale shall be valid against the said extent, and all persons claiming under it; and any person to whom the said real and personal estate or debts shall be bargained, sold, granted, or assigned by the court shall have and may recover the same against any person who shall detain the same.

128. That if any bankrupt shall have any Government stock,

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funds, or annuities, or any of the stock of any public company, either in England, Scotland, or Ireland, standing in his name in his own right, it shall be lawful for the court, by writing, to order all persons whose act or consent is thereto necessary to transfer the same into the name of the assignees, and to pay all dividends upon the same to the official assignee; and all such persons whose act or consent is so necessary are hereby indemnified for all things done or permitted pursuant to such order.

129. That no distress for rent made and levied after an act of bankruptcy upon the goods or effects of any bankrupt, whether before or after the issuing of the fiat or the filing of the petition for adjudication of bankruptcy, shall be available for more than one year's rent accrued prior to the date of the fiat or the day of the filing of such petition, but the landlord or person to whom the rent shall be due shall be allowed to come in as a creditor for the overplus of the rent due, and for which the distress shall not be available.

130. That if any bankrupt shall as trustee be seised, possessed of, or entitled to, either alone or jointly, any real or personal estate, or any interest secured upon or arising out of the same, or shall have standing in his name as trustee, either alone or jointly, any Government stock, funds, or annuities, or any of the stock of any public company, either in England, Scotland, or Ireland, it shall be lawful for the Lord Chancellor, on the petition of the person entitled in possession to the receipt of the rents, issues, and profits, dividends, interest, or produce thereof, on due notice given to all other persons (if any) interested therein, to order the assignees and all persons whose act or consent thereto is necessary to convey, assign, or transfer the said estate, interest, stock, funds, or annuities, to such person as the Lord Chancellor shall think fit, upon the same trusts as the said estate, interest, stock, funds, or annuities were subject to before the bankruptcy, or such of them as shall be then subsisting and capable of taking effect, and also to receive and pay over the rents, issues, and profits, dividends, interest, or produce thereof, as the Lord Chancellor shall direct.

131. That no title to any real or personal estate sold under any bankruptcy shall be impeached by the bankrupt, or any person claiming under him, in respect of any defect in the fiat or petition for adjudication, or in any of the proceedings under the same, unless the bankrupt shall within the time allowed by this act have commenced proceedings to dispute, dismiss, or annul the fiat, petition, or adjudication, and duly prosecuted the same.

132. That after the adjudication of bankruptcy in any case shall have been advertised in the London Gazette, it shall be lawful for the court to order any treasurer or other officer, or any banker, attorney, or solicitor, or other agent of the bankrupt, to pay and deliver over to the official assignee, or to the Bank of England, to the credit of the accountant in bankruptcy, according to the rules which may be in force with respect to payment into the Bank of England of monies due to any bankrupt's estate, all monies or securities for money in his custody, possession, or power as such officer or agent, and which he is not by law entitled to retain as against the bankrupt or his assignees.

And with respect to transactions with the bankrupt, and executions against his property, up to the time of the bankruptcy, or within a limited time previously thereto, be it enacted,

133. That all payments really and bonâ fide made by any bankrupt, or by any person on his behalf, before date of the fiat or the filing of a petition for adjudication of bankruptcy, to any creditor of such bankrupt, and all payments really and bonâ fide made to any bankrupt before the date of the fiat or the filing of such petition, and all conveyances by any bankrupt bonâ fide made and executed before the date of the fiat or the filing of such petition, and all contracts, dealings, and transactions by and with any bankrupt really and bonâ fide made and entered into before the date of the fiat or the filing of such petition, and all executions and attachments against the lands and tenements of any bankrupt bonâ fide executed by seizure, and all executions and attachments against the goods and chattels of any bankrupt bonâ fide executed and levied by seizure and sale before the date of the fiat or the filing of such petition, shall be deemed to be valid, notwithstanding any prior act of bankruptcy by such bankrupt committed, provided the person so dealing with, or paying to, or being paid by such bankrupt, or at whose suit or on whose account such execution or attachment shall have issued, had not at the time of such payment, conveyance, contract, dealing, or transaction, or at the time of so executing or levying such execution or attachment, or at the time of making any sale thereunder, notice of any prior act of bankruptcy by him committed: provided also, that nothing herein contained shall be deemed or taken to give validity to any payment or to any delivery or transfer of any goods or chattels made by any bankrupt, being a fraudulent preference of any creditor of such bankrupt, or to any conveyance or equitable mortgage made or given by any bankrupt by way of fraudulent preference of any creditor of such bankrupt, or to any execution founded on a judgment on a warrant of attorney, or cognovit actionem, or judge's order obtained by consent given by any bankrupt by way of fraudulent preference.

134. That no purchase from any bankrupt bonâ fide and for valuable consideration, where the purchaser had notice at the time of such purchase of an act of bankruptcy by such bankrupt committed, shall be impeached by reason thereof, unless a fiat or petition for adjudication of bankruptcy shall have been sued out or filed within twelve months after such act of bankruptcy.

135. That every warrant of attorney to confess judgment in any personal action, given by any bankrupt after the commencement of this act, and within two months of the filing of a petition for adjudication of bankruptcy by or against such bankrupt, and being for or in respect of (wholly or in part) an antecedent debt or money demand, and every cognovit actionem or consent to a judge's order for judgment given by any bankrupt, at any time after the commencement of this act, and within two months of the filing of any such petition in any action commenced by collusion with the bankrupt, and not adversely, or purporting to have been given in an action, but having been in fact given before the commencement of any action against the bankrupt, such bankrupt being unable to meet his engagements at the time of giving such warrant of attorney, cognovit actionem, or consent, (as the case may be), shall be deemed and taken to be null and void, whether the same shall have been given by such bankrupt in contemplation of bankruptcy or not.

136. That if after the commencement of this act any warrant of attorney to confess judgment in any personal action, or any cognovit actionem in any personal action, shall have been given by any such trader, and such warrant of attorney or cognovit actionem, or a true copy thereof, shall not have been filed with the officer acting as clerk of the docquets and judgments in the Court of Queen's Bench within twenty-one days next after the execution thereof, in manner and form provided by an act passed in the 3 Geo. 4, [c. 39], intituled "An Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment," every such warrant of attorney and cognovit actionem shall be deemed fraudulent, null, and void, to all intents and purposes whatever; and if any such warrant of attorney or cognovit actionem which shall be so filed as aforesaid shall have been given subject to any defeasance or condition, such defeasance or condition shall be written on the same paper or parchment on which such warrant of attorney or cognovit actionem shall be written, before the time when the same or a copy thereof respectively shall be filed, otherwise such warrant of attorney or cognovit actionem shall be null and void, to all intents and purposes whatever.

137. That every judge's order made by consent given after the commencement of this act by any such trader defendant in any personal action, and whereby the plaintiff in such action shall be authorised forthwith after the making of such order, or at any future time, to sign or enter up judgment, or to issue or take out execution in such action, and whether such order shall be made subject to any defeasance or condition or not, in case the action in which such order shall be made shall be in the Court of Queen's Bench, or in case the action wherein the same is made shall be in any other court, a true copy of such order shall, together with an affidavit of the time of such consent being given, and a description of the residence and occupation of the defendant, be filed with the officer acting as clerk of the docquets and judgments in the said Court of Queen's Bench within twenty-one days after the making of such order, in like manner as a warrant of attorney in any personal action and a cognovit actionem given by any defendant in any personal action, or copies thereof and affidavits of the execution thereof respectively, may be filed with the said clerk within the space of

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twenty-one days after such warrant of attorney or cognovit actionem shall have been executed, otherwise such judge's order, and any judgment signed or entered up thereon, and any execution issued or taken out on such judgment, shall be null and void, to all intents and purposes whatever; and the provisions respectively contained in the said act passed in the 3 Geo. 4, [c. 39], intituled "An Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment," and in an act passed in the Parliament holden in the 6 & 7 Vict. [c. 66], intituled "An Act to enlarge the Provisions of an Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment," for liberty to file warrants of attorney and cognovits actionem, or copies thereof, with the clerk of the docquets and judgments, and for the said clerk to make certain entries and search in relation thereto, and for entering satisfaction thereon, and for fees for search and filing and taking office copies, shall extend and be applicable to every such judge's order, in like manner as to warrants of attorney and cognovits actionem mentioned in the said acts.

138. That no deed, conveyance, assignment, surrender, admission, or other assurance of, or to, or relating solely to any freehold, leasehold, copyhold, or customary messuages, lands, or tenements, or to any mortgage, charge, or other incumbrance upon, or any estate, right, or interest of and in, any messuages, lands, tenements, or personal estate, being the estate of or belonging to any bankrupt, or part or parcel thereof, and which after the execution of such deed, conveyance, assignment, surrender, or assurance respectively shall, either at law or in equity, be or remain the estate and property of such bankrupt, or of the assignee appointed or chosen under any bankruptcy, and no power of attorney, writ of supersedeas and procedendo, order, certificate of conformity, affidavit, or other instrument or writing whatsoever relating solely to the estate or effects of any bankrupt, or to any part thereof, or to any proceeding under any bankruptcy, and no affidavit, bond, or other proceeding under this act, and no advertisement inserted in the London Gazette relating solely to matters in bankruptcy, shall be liable to any stamp-duty, or to any other duty whatsoever, save and except such stamp-duty as is mentioned in Schedule (C.) to this act annexed.

And with respect to the choice of assignees, and their rights and duties, be it enacted,

139. That at the first public sitting appointed by the court under any bankruptcy, or at any adjournment thereof, assignees of the bankrupt's estate and effects shall and may be chosen and appointed, and all creditors who have proved debts to the amount of 10*l.* and upwards shall be entitled to vote in such choice, and also any person authorised by letter of attorney from any such creditor, upon proof of the execution thereof, either by affidavit or by oath before the court vivâ voce; and the choice and appointment shall be made by the major part in value of the creditors so entitled to vote; provided that the court shall have power to reject any person so chosen who shall appear to such court unfit to be an assignee, or to remove any assignee, and upon such rejection or removal a new choice and appointment of another assignee shall be made in like manner.

140. That if one or more of the partners of a firm be adjudged bankrupt, any creditor to whom the bankrupt is indebted jointly with the other partners of the firm, or any of them, shall be entitled to prove his debt, for the purpose only of voting in the choice of assignees, and of being heard against the allowance of the bankrupt's certificates, or of either of such purposes; but such creditor shall not receive any dividend out of the separate estate of the bankrupt until all the separate creditors shall have received the full amount of their respective debts.

141. That when any person shall have been adjudged a bankrupt, all his personal estate and effects, present and future, wheresoever the same may be found or known, and all property which he may purchase, or which may revert, descend, be devised or bequeathed or come to him, before he shall have obtained his certificate, and all debts due or to be due to him, wheresoever the same may be found or known, and the property, right, and interest in such debts, shall become absolutely vested in the assignees for the time being, for the benefit of the creditors of the bankrupt, by virtue of their appointment; and after such appointment, neither the bankrupt, nor any person claiming through or under him, shall have power to recover the same, nor to make any release or discharge thereof, neither shall the same be attached as the debt of the bankrupt by any person according to the custom of the city of London or otherwise, but such assignees shall have like remedy to recover the same in their own names as the bankrupt himself might have had if he had not been adjudged bankrupt.

142. That when any person shall have been adjudged a bankrupt, all lands, tenements, and hereditaments, except copy or customary hold, in England, Scotland, Ireland, or in any of the dominions, plantations, or colonies belonging to her Majesty, to which any bankrupt is entitled, and all interest to which such bankrupt is entitled in any of such lands, tenements, or hereditaments, and of which he might, according to the laws of the several countries, dominions, plantations, or colonies, have disposed, and all such lands, tenements, and hereditaments as he shall purchase, or shall descend, be devised, revert to, or come to such bankrupt, before he shall have obtained his certificate, and all deeds, papers, and writings respecting the same, shall become absolutely vested in the assignees for the time being, for the benefit of the creditors of the bankrupt, by virtue of their appointment, without any deed of conveyance for that purpose; and as often as any such assignee or assignees shall die, or be lawfully removed or displaced, and a new assignee or assignees shall be duly appointed, such of the aforesaid real estate as shall remain unsold or unconveyed shall, by virtue of such appointment, vest in the new assignee or assignees, either alone or jointly with the existing assignees, as the case may require, without any conveyance for that purpose.

143. That where according to law any conveyance or assignment of any real or personal property of a bankrupt would require to be registered, inrolled, or recorded in any registry office in England, Wales, or Ireland, or in any registry office, court, or other place in Scotland, or in any of the dominions, plantations, or colonies belonging to her Majesty, then in every such case the certificate of the appointment of assignees of the estate and effects of the bankrupt shall be registered in the registry office, court, or place wherein such conveyance or assignment would require to be registered, inrolled, or recorded, and such registry shall have the like effect to all intents and purposes as the registry, inrolment, or recording of such conveyance or assignment would have had; and the title of any purchaser of any such property for valuable consideration, without notice of the bankruptcy, who shall have duly registered, inrolled, or recorded his purchase-deed previous to the registry hereby directed, shall not be invalidated by reason of such appointment of assignees, or of the vesting of such property in them consequent thereupon, unless the certificate of such appointment shall be registered as aforesaid within the times following; that is to say, as regards the United Kingdom of Great Britain and Ireland, within two months from the date of such appointment, and as regards all other places, within twelve months from the date thereof.

144. That no assignee of any bankrupt's estate, nor any purchaser from any such assignee of any goods, chattels, stock, or crop, being part of the estate of any bankrupt engaged or employed in husbandry on any lands let to farm, shall take, use, or dispose of any hay, straw, grass or grasses, turnips or other roots, or any other produce of such lands, or any manure, compost, ashes, seaweed, or other dressings intended for such lands, and being thereon, in any other manner or for any other purpose than such bankrupt so employed in husbandry ought to have taken, used, or disposed of the same if he had not been adjudged bankrupt.

145. That if the assignees of the estate and effects of any bankrupt having or being entitled to any land either under a conveyance to him in fee or under an agreement for any such conveyance, subject to any perpetual yearly rent reserved by such conveyance or agreement, or having or being entitled to any lease or agreement for a lease, shall elect to take such land or the benefit of such conveyance or agreement, or such lease or agreement for a lease, as the case may be, the bankrupt shall not be liable to pay any rent accruing after the issuing of the fiat or filing of the petition for adjudication of bankruptcy against him, or to be sued in respect of any subsequent non-observance or non-performance of the conditions, covenants, or agreements in any such conveyance or agreement, or lease or agreement for a lease; and if the assignees shall decline to take such land, or the benefit of such conveyance or agreement, or lease or agreement for a lease, the bankrupt shall not be liable if, within fourteen days after he shall have had notice that the assignees have declined, he shall deliver up such con-

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veyance or agreement, or lease or agreement for a lease, to the person then entitled to the rent, or having so agreed to convey or lease, as the case may be; and if the assignees shall not (upon being thereto required) elect whether they will accept or decline such land or conveyance or agreement for conveyance, or such lease or agreement for a lease, any person entitled to such rent, or having so conveyed or agreed to convey, or leased or agreed to lease, or any person claiming under him, shall be entitled to apply to the court, and the court may order them to elect and deliver up such conveyance or agreement for conveyance, or lease or agreement for a lease, in case they shall decline the same, and the possession of the premises, or may make such other order therein as it shall think fit.

146. That if any bankrupt shall have entered into any agreement for the purchase of any estate or interest in land, the vendor thereof, or any person claiming under him, if the assignees shall not (upon being thereto required) elect whether they will abide by and execute such agreement, or abandon the same, may apply to the court, and the court may thereupon order them to deliver up the agreement, and the possession of the premises, to the vendor or person claiming under him, or may make such other order therein as such court shall think fit.

147. That all powers vested in any bankrupt which he might legally execute for his own benefit (except the right of nomination to any vacant ecclesiastical benefice) may be executed by the assignees, for the benefit of the creditors, in such manner as the bankrupt might have executed the same.

148. That it shall be lawful for the court, upon the application of the assignees, or of any purchaser from them of any part of the bankrupt's estate, if such bankrupt shall not try the validity of the adjudication, or if there shall have been a verdict at law establishing its validity, to order the bankrupt to join in any conveyance of such estate, or any part thereof; and if he shall not execute such conveyance within the time directed by the order, such bankrupt, and all persons claiming under him, shall be stopped from objecting to the validity of such conveyance; and all estate, right, or title which such bankrupt had therein shall be as effectually barred by such order as if such conveyance had been executed by him.

149. That if any bankrupt shall have granted, conveyed, assured, or pledged any real or personal estate, or deposited any deeds, such grant, conveyance, assurance, pledge, or deposit being upon condition or power of redemption at a future day, by payment of money or otherwise, the assignees may, before the time of the performance of such condition, make tender or payment of money or other performance, according to such condition, as fully as the bankrupt might have done; and after such tender, payment, or performance, such real or personal estate may be sold and disposed of, for the benefit of the creditors.

150. That in every case the assignees may, with the approbation of the court, appoint the bankrupt himself to superintend the management of the estate, or to carry on the trade for behoof of the creditors, and in all or any other respects they may think fit to aid them in administering the bankrupt's estate and effects, in such manner and on such terms as they may think best for the benefit of the persons interested in the estate.

151. That the assignees shall be subject to the orders of the court in their conduct as assignees; and it shall be lawful for the court at all times to summon the assignees, and require them to produce all books, papers, deeds, writings, and other documents relating to the bankruptcy in their possession, and to direct them to pay and deliver over to the official assignee all monies, books, papers, deeds, writings, and other documents which may have come to their possession or custody as such assignees.

152. That if any person adjudged bankrupt shall at the time of the adjudication of bankruptcy be a member of a firm, it shall be lawful for the court to authorise the assignees, upon their application, to commence or prosecute any action at law or suit in equity, in the name of such assignees and of the remaining partner, against any debtor of the partnership, and such judgment, decree, or order may be obtained therein as if such action or suit had been instituted with the consent of such partner, and if such partner shall execute any release of the debt or demand for which such action or suit is instituted, such release shall be void; provided that every such partner shall have notice given him of such application, and be at liberty to shew cause against it, and, if no benefit be claimed by him by virtue of the said proceedings, shall be indemnified against the payment of any costs in respect of such action or suit, in such manner as the court may direct; and that it shall be lawful for such court, upon the application of such partner, to direct that he may receive so much of the proceeds of such action or suit as such court shall direct.

153. That the assignees, with the leave of the court first obtained, upon application to such court, but not otherwise, may commence, prosecute, or defend any action at law or suit in equity which the bankrupt might have commenced and prosecuted or defended, and in such case the costs to which they may be put in respect of such suit or action shall be allowed out of the proceeds of the estate and effects of the bankrupt; and with like leave of the court, after notice to such creditors, and subject to such condition (if any) as to obtaining the consent of creditors, or any proportion of them, as the court shall think fit to direct, the assignees may take such reasonable part of any debts due to the bankrupt's estate as may by composition be gotten, or may give time or take security for the payment of such debts, and may submit to arbitration any difference or dispute between the assignees and any other person for or on account or by reason of anything relating to the estate and effects of the bankrupt.

154. That if the assignees shall agree in manner aforesaid to refer any matter in dispute to arbitration, such agreement of reference may be made a rule of any of her Majesty's superior courts of law at Westminster, whether such agreement contain a clause to that effect or not.

155. That all persons from whom the assignees shall have recovered any real or personal estate, either by judgment or decree, are hereby discharged, in case the fiat be afterwards superseded, or the adjudication of bankruptcy, or petition for adjudication, be afterwards annulled or dismissed, from all demands which may thereafter be made in respect of the same by the person against whom such adjudication was made, and all persons claiming under him; and all persons who shall, without action or suit, bonâ fide deliver up possession of any real or personal estate to the assignees, or pay any debt claimed by them, are hereby discharged from all claim of any such person as aforesaid in respect of the same, or any person claiming under him, provided the persons so delivering up any real or personal estate, or paying any debt, shall not have had notice of an action, suit, or other proceeding to dispute or annul the fiat or adjudication, or petition for adjudication, and such action, suit, or other proceeding shall not have been commenced and prosecuted within the time and in manner allowed by this act.

156. That if any assignee indebted to the estate of which he is such assignee in respect of money, being part of the estate of the bankrupt, retained or employed by him, become bankrupt, and obtain his certificate, it shall have the effect only of freeing his person from arrest and imprisonment, but his future effects (his tools of trade, necessary household goods, and the necessary wearing apparel of himself, his wife and children, excepted) shall remain liable for so much of his debt to the estate of which he was assignee as shall not be paid by dividends under his bankruptcy, and for interest at the rate of 5*l.* per cent. per annum on the whole debt.

157. That whenever an assignee shall die or be removed, or a new assignee shall be chosen, no action at law or suit in equity shall be thereby abated, but the court in which any action or suit is depending may, upon the suggestion of such death or removal and new choice, allow the name of the surviving or new assignee to be substituted in the place of the former; and such action or suit shall be prosecuted in the name or names of the said surviving or new assignee or assignees, in the same manner as if he had originally commenced the same.

158. That if the assignees commence any action or suit for any money due to the bankrupt's estate before the time allowed for the bankrupt to dispute the bankruptcy shall have elapsed, any defendant in any such action or suit shall be entitled, after notice given to the assignees, to pay the same, or any part thereof, into the court in which such action or suit is brought, and all proceedings with respect to the money so paid into court shall thereupon be stayed until such time shall have elapsed; and if within that time the bankrupt shall not have commenced such

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action, suit, or other proceeding as allowed by this act, and prosecuted the same with due diligence, the money shall be paid out of court to the official assignee, but otherwise shall abide the event of such action, suit, or other proceeding, and upon such event shall be paid out of court, either to the official assignee or the person adjudged bankrupt, as the court shall direct; and after such payment of money so made into court it shall not be lawful for the person so adjudged bankrupt to proceed against the defendant for recovery of the same money.

159. That every action brought against any person for anything done in pursuance of this act shall be commenced within three months next after the fact committed; and the defendant in any such action may plead the general issue, and give this act and the special matter in evidence at the trial, and that the same was done by authority of this act; and if it shall appear so to have been done, or that such action was commenced after the time limited as aforesaid for bringing the same, the jury shall find for the defendant; and if there be a verdict for the defendant, or if the plaintiff shall be nonsuited, or discontinue his action or suit after appearance thereto, or if upon demurrer judgment shall be given against the plaintiff, the defendant shall receive such full and reasonable indemnity as to all costs, charges, and expenses incurred in and about any such action as shall be taxed by the proper officer in that behalf, subject to be reviewed in like manner and by the same authority as any other taxation of costs by such officer.

And with respect to the last examination, be it enacted,

160. That the bankrupt shall prepare such balance-sheet and accounts, and in such form as the court shall direct, and shall subscribe such balance-sheet and accounts, and file the same in court, and deliver a copy thereof to the official assignee, ten days at least before the day appointed for the last examination, or the adjournment day thereof for that purpose; and such balance-sheet and accounts, before such last examination, may be amended from time to time as occasion shall require and such court shall direct; and the bankrupt shall make oath of the truth of such balance-sheet and accounts, whenever he shall be duly required by the court so to do; and the last examination of the bankrupt shall in no case be passed unless his balance-sheet shall have been duly filed as aforesaid; and the court may, on the application of the assignees, or of the bankrupt, make such allowance out of the estate of the bankrupt for the preparation of such balance-sheet and accounts, and to such person as the court shall think fit, in any case in which it shall be made to appear to the satisfaction of the court, from the nature of the accounts or other good cause, that the bankrupt required assistance in that behalf.

161. That if any bankrupt apprehended by any warrant of the court shall, within the time allowed for him to surrender, submit to be examined, and in all things conform, he shall have the same benefit as if he had voluntarily surrendered.

162. That it shall be lawful for the court at the time appointed for the last examination of the bankrupt, or at any enlargement or adjournment thereof, to adjourn such examination sine die; and in such case the bankrupt shall be free from arrest or imprisonment, for such time (if any) as such court shall from time to time, by indorsement on the summons of the bankrupt, think fit to appoint.

163. That whenever any bankrupt is in prison or in custody under any process, attachment, execution, commitment, or sentence, the court may appoint a person to attend him from time to time, to produce to him his books, papers, and writings, in order that he may prepare his balance-sheet, and shew the particulars of his estate and effects, previous to his last examination and discovery thereof.

And with respect to the proof of debts and payments in full, be it enacted,

164. That at the sittings appointed by the court for the choice of assignees and for the last examination of the bankrupt, and at every adjourned sitting held for either of such purposes, and at every other sitting held for proof of debts, and whereof and of the purport whereof ten days' notice shall have been given in the London Gazette, every creditor of the bankrupt may prove his debt, by his own oath; and all bodies politic and public companies incorporated, or authorised to sue or bring actions, either by charter or act of Parliament, may prove by an agent, provided such agent shall in his deposition swear that he is such agent, and that he is authorised to make such proof; provided that it shall be lawful for the court to examine upon oath, either by word of mouth or by interrogatories in writing, every person claiming to prove a debt, or to require such further proof, and to examine such other persons in relation thereto, as such court shall think fit.

165. That every person with whom any bankrupt shall have really and bonâ fide contracted any debt or demand before the issuing of the fiat or the filing of the petition for adjudication of bankruptcy shall, notwithstanding any prior act of bankruptcy committed by such bankrupt, be admitted to prove the same, as if no such act of bankruptcy had been committed, provided such person had not, at the time the same was contracted, notice of any act of bankruptcy by such bankrupt committed.

166. That the court, out of the estate and effects of the bankrupt, shall order payment of all duties of assessed taxes assessed on the bankrupt at the time of his bankruptcy up to the 5th day of April next after the same shall have happened, (such payment not exceeding in the whole one year's assessment), and the bankrupt shall not be liable to be assessed to such duties after the said 5th day of April in respect of any article kept and used for the purposes of trade at or before the time of the bankruptcy, which article shall have been seized and surrendered and bonâ fide sold under the bankruptcy, and not kept or used by the bankrupt after the 5th day of April.

167. That if any person already appointed or employed or who may be hereafter appointed to or employed in any office in any society established under any of the acts relating to friendly societies, and being intrusted with the keeping of the accounts, or having in his hands or possession, by virtue of his office or employment, any monies or effects belonging to such society, or any deeds or securities relating to the same, shall have been or shall become bankrupt, the court shall, upon application made by the order of any such society or any committee thereof, or the major part of them, assembled at any meeting thereof, order payment and delivery over to be made to such society, or to such person as such society or committee may appoint, of all monies and other things belonging to such society, and shall also order payment out of the estate and effects of the bankrupt of all sums of money remaining due which the bankrupt received by virtue of his said office or employment before any other of his debts are paid or satisfied.

168. That when any bankrupt shall have been indebted, at the time of issuing the fiat or filing the petition for adjudication of bankruptcy, to any servant or clerk of such bankrupt in respect of the wages or salary of such servant or clerk, it shall be lawful for the court, upon proof thereof, to order so much as shall be so due, not exceeding three months' wages or salary, and not exceeding 30*l.*, to be paid to such servant or clerk out of the estate of such bankrupt; and such servant or clerk shall be at liberty to prove for any sum exceeding such amount.

169. That when any bankrupt shall have been indebted, at the time of issuing the fiat or filing the petition for adjudication of bankruptcy, to any labourer or workman of such bankrupt in respect of the wages or labour of such labourer or workman, it shall be lawful for the court, upon proof thereof, to order so much as shall be so due, not exceeding 40*s.*, to be paid to such labourer or workman out of the estate of such bankrupt; and such labourer or workman shall be at liberty to prove for any sum exceeding such amount.

170. That where any person shall have been an apprentice to a bankrupt at the time of the filing of a petition for adjudication of bankruptcy, or of the issuing of a fiat in bankruptcy, the filing of such petition, or the issuing of such fiat, shall be and enure as a complete discharge of the indenture whereby such apprentice was bound; and if any sum shall have been really and bonâ fide paid, by or on the behalf of such apprentice, to the bankrupt, as an apprentice fee, it shall be lawful for the court, upon proof thereof, to order any sum to be paid out of the estate of the said bankrupt, to or for the use of such apprentice, which such court shall think reasonable, regard being had, in estimating such sum, to the amount of the sum so paid by or on behalf of such apprentice, and to the time during which such apprentice shall have resided with the bankrupt previous to the filing of such petition or the issuing of such fiat.

171. That where there has been mutual credit given by the bankrupt and any other person, or where there are mutual debts between the bankrupt and any other person, the court shall state the account between them, and one debt or demand may be set against another, notwithstanding any prior act of

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bankruptcy committed by such bankrupt before the credit given to or the debt contracted by him; and what shall appear due on either side on the balance of such account, and no more, shall be claimed or paid on either side respectively; and every debt or demand hereby made provable against the estate of the bankrupt may also be set off in manner aforesaid against such estate, provided that the person claiming the benefit of such set-off had not, when such credit was given, notice of an act of bankruptcy by such bankrupt committed.

172. That any person who shall have given credit to the bankrupt upon valuable consideration for any money or other matter or thing whatsoever which shall not have become payable when such bankrupt committed an act of bankruptcy, and whether such credit shall have been given upon any bill, bond, note, or other negotiable security, or not, shall be entitled to prove such debt, bill, bond, note, or other security as if the same was payable presently, and receive dividends equally with the other creditors, deducting only thereout a rebate of interest for what he shall so receive at the rate of 5*l.* per centum per annum, to be computed from the declaration of a dividend to the time such debt would have become payable, according to the terms upon which it was contracted.

173. That any person who, at the time of issuing the fiat or of filing a petition for adjudication of bankruptcy, shall be surety or liable for any debt of the bankrupt, or bail for the bankrupt, either to the sheriff or to the action, if he shall have paid the debt, or any part thereof in discharge of the whole debt, (although he may have paid the same after the issuing of the fiat or the filing of the petition for adjudication of bankruptcy), if the creditor shall have proved his debt under the bankruptcy, shall be entitled to stand in the place of such creditor as to the dividends and all other rights under the bankruptcy which such creditor possessed or would be entitled to in respect of such proof; or if the creditor shall not have proved, such surety or person liable, or bail, shall be entitled to prove his demand in respect of such payment as a debt under the bankruptcy, not disturbing the former dividends, and may receive dividends with the other creditors, although he may have become surety, liable, or bail as aforesaid, after an act of bankruptcy committed by the bankrupt, provided that such person had not, when he became such surety or bail, or so liable as aforesaid, notice of any act of bankruptcy by such bankrupt committed.

174. That the obligee in any bottomry or respondentia bond, and the assured in any policy of insurance, made upon good and valuable consideration, shall be admitted to claim, and, after the loss or contingency shall have happened, to prove his debt or demand in respect thereof, and receive dividends with the other creditors, as if the loss or contingency had happened before the issuing of the fiat or the filing of the petition for adjudication of bankruptcy against such obligor or insurer; and the person effecting any policy of insurance upon ships or goods with any person (as a subscriber or underwriter) having become or becoming bankrupt, shall be entitled to prove any loss to which such bankrupt shall be liable in respect of such subscription, although the person so effecting such policy was not beneficially interested in such ships or goods, in case the person so interested is not within the united realm.

175. That any annuity creditor of any bankrupt, by whatever assurance the same be secured, and whether there were or not any arrears of such annuity due at the bankruptcy, shall be entitled to prove for the value of such annuity, which value the court shall ascertain, regard being had to the original price given for such annuity, deducting therefrom such diminution in the value thereof as shall have been caused by the lapse of time since the grant thereof to the date of the fiat or the filing of the petition for adjudication of bankruptcy.

176. That it shall not be lawful for any person entitled to any annuity granted by any bankrupt to sue any person who may be collateral surety for the payment of such annuity until such annuitant shall have proved against such bankrupt's estate for the value of such annuity, and for the arrears thereof; and if such surety, after such proof, pay the amount proved, he shall be thereby discharged from all claims in respect of such annuity; and if such surety shall not (before any payment of the annuity subsequent to the bankruptcy shall have become due) pay the sum so proved, he may be sued for the accruing payments of such annuity, until such annuitant shall have paid or satisfied the amount so proved, with interest thereon at the rate of 4*l.* per centum per annum from the time of notice of such proof, and of the amount thereof, being given to such surety; and after such payment or satisfaction such surety shall stand in the place of such annuitant, in respect of such proof, to the amount so paid or satisfied by such surety, and the certificate of the bankrupt shall be a discharge to him from all claims of such annuitant or of such surety in respect of such annuity; provided that such surety shall be entitled to credit, in account with such annuitant, for any dividends received by such annuitant under the bankruptcy before such surety shall have fully paid or satisfied the amount so proved.

177. That if any bankrupt shall, before the issuing of the fiat or the filing of a petition for adjudication of bankruptcy, have contracted any debt payable upon a contingency which shall not have happened before the issuing of such fiat or the filing of such petition, the person with whom such debt has been contracted may, if he think fit, apply to the court to set a value upon such debt, and the court is hereby required to ascertain the value thereof, and to admit such person to prove the amount so ascertained, and to receive dividends thereon; or if such value shall not be so ascertained before the contingency shall have happened, then such person may, after such contingency shall have happened, prove in respect of such debt, and receive dividends with the other creditors, not disturbing any former dividends; provided such person had not, when such debt was contracted, notice of any act of bankruptcy by such bankrupt committed.

178. That if any trader who shall become bankrupt after the commencement of this act shall have contracted, before the filing of a petition for adjudication of bankruptcy, a liability to pay money upon a contingency which shall not have happened, and the demand in respect thereof shall not have been ascertained before the filing of such petition, in every such case, if such liability be not provable under any other provision of this act, the person with whom such liability has been contracted shall be admitted to claim for such sum as the court shall think fit; and after the contingency shall have happened, and the demand in respect of such liability shall have been ascertained, he shall be admitted to prove such demand, and receive dividends with the other creditors, and, so far as practicable, as if the contingency had happened and the demand had been ascertained before the filing of such petition, but not disturbing former dividends, provided such person had not, at the time such liability was contracted, notice of any act of bankruptcy by such bankrupt committed; provided also, that where any such claim shall not have, either in whole or in part, been converted into a proof within six months after the filing of such petition, it may, upon the application of the assignees at any time after the expiration of such time, and if the court shall think fit, be expunged, either in whole or in part, from the proceedings.

179. That in case of the bankruptcy of any agent intrusted with the possession of goods within the meaning of an act passed in the Parliament holden in the 5 & 6 Vict. [c. 39], intituled "An Act to amend the Law relating to Advances bonâ fide made to Agents intrusted with Goods," the owner of any goods so intrusted to such agent, and which shall have been redeemed by such owner in manner provided by the said act after having been pledged by such agent, shall, in respect of the sum paid by him on account of such agent for such redemption, be held to have paid such sum for the use of such agent before his bankruptcy, or in case such goods shall not be so redeemed the owner shall be deemed a creditor of such agent for the value of the goods so pledged at the time of the pledge, and shall, if he shall think fit, be entitled in either of such cases to prove for or set off the sum so paid, or the value of such goods, as the case may be.

180. That upon all debts or sums certain, payable at a certain time or otherwise, whereupon interest is not reserved or agreed for, and which shall be overdue at the issuing of the fiat or filing of the petition for adjudication of bankruptcy, and provable thereunder, the creditor shall be entitled to prove for interest, to be calculated, at a rate not exceeding 4*l.* per centum per annum, up to the date of the fiat or the filing of such petition, from the time when such debts or sums certain were payable, if such debts or sums be payable by virtue of some written instrument at a certain time, or if payable otherwise, then from the time when demand of payment shall have been made in writing, so as such demand shall give notice to the debtor that interest will be claimed from the date of such demand until the time of payment.

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181. That if any plaintiff in any action at law or suit in equity, or petitioner in bankruptcy or lunacy, shall have obtained any judgment, decree, or order against any person who shall thereafter become bankrupt for any debt or demand in respect of which such plaintiff or petitioner shall prove under the bankruptcy, such plaintiff or petitioner shall also be entitled to prove for the costs which he shall have incurred in obtaining the same, although such costs shall not have been taxed at the time of the bankruptcy; and if any defendant shall have obtained any judgment, decree, or order in any such action or suit, or in the matter of any such petition, against any person who shall thereafter become bankrupt, such defendant shall be entitled to prove for the costs which he shall have incurred in obtaining the same, although such costs shall not have been taxed at the time of the bankruptcy.

182. That no creditor who has brought any action or instituted any suit against any bankrupt in respect of a demand prior to the bankruptcy, or which might have been proved as a debt under the bankruptcy, shall prove a debt under such bankruptcy, or have any claim entered upon the proceedings, without relinquishing such action or suit, and the proving or claiming a debt under a fiat or petition for adjudication of bankruptcy by any creditor shall be deemed an election by such creditor to take the benefit of such fiat or petition with respect to the debt so proved or claimed; provided that such creditor shall not be liable to the payment to such bankrupt or his assignees of the costs of such action or suit so relinquished by him, and that where any such creditor shall have brought any action or suit against such bankrupt jointly with any other person or persons, his relinquishing such action or suit against the bankrupt shall not affect such action or suit against such other person or persons; provided also, that any creditor who shall have so proved or claimed, if the fiat or petition for adjudication be afterwards superseded or dismissed, may proceed in the action as if he had not so proved or claimed, and in bailable actions shall be at liberty, under the authority of a judge's order for that purpose, obtained in like manner as may now by law be done, to arrest the defendant de novo, if he has not put in bail below or perfected bail above, or if the defendant has put in or perfected such bail to have recourse against such bail, by requiring the bail below to put in and perfect bail above within the first eight days in term after notice in the London Gazette of the first superseding or dismissing such fiat or petition, and by suing the bail upon their recognisance, if the condition thereof is broken.

183. That whenever it shall appear to the assignees, or to two or more creditors who have each proved debts to the amount of 20*l.* or upwards, that any debt proved is not justly due, either in whole or in part, such assignees or creditors may make representation thereof to the court; and it shall be lawful for the court to summon and examine upon oath any person who shall have so proved, together with any person whose evidence may appear to the court to be material, either in support of or in opposition to any such debt; and if the court, upon the evidence given on both sides, or (if the person who shall have proved shall not attend to be examined, having been first duly summoned, or notice having been left at his last place of abode) upon the evidence adduced by such assignees or creditors, shall be of opinion that such debt is not due, either wholly or in part, the court shall be at liberty to expunge the same, either wholly or in part, from the proceedings; provided that such assignees or creditors requiring such investigation shall, before it is instituted, sign an undertaking, to be filed with the proceedings, to pay such costs as the court shall adjudge to the creditor who has proved such debt, such costs to be recovered by application to the court, upon which an order for payment thereof may be made by the court; provided also, that such assignees or creditors may apply in the first instance to the Vice-Chancellor, or either party may appeal against the determination of the Court of Bankruptcy.

184. That no creditor having security for his debt, or having made any attachment in London or in any other place, by virtue of any custom there used, of the goods and chattels of the bankrupt, shall receive upon any such security or attachment more than a rateable part of such debt, except in respect of any execution or extent served and levied by seizure and sale upon, or any mortgage of, or lien upon, any part of the property of such bankrupt before the date of the fiat or the filing of a petition for adjudication of bankruptcy: provided always, that nothing herein contained shall be deemed to give validity to any warrant of attorney, cognovit, or consent to a judge's order declared to be null and void by any provision of this act, nor to give validity to any judgment entered up under or by virtue of any such warrant of attorney or consent, or to any execution or extent executed or levied under or by virtue of any such warrant of attorney, cognovit, or consent.

And with respect to the audit, be it enacted,

185. That the court shall, whenever it shall think fit, appoint a public sitting to be holden after the sitting appointed for the last examination of the bankrupt, (of which public sitting, and of the purport whereof, ten days' notice shall be given in the London Gazette), to audit the accounts of the assignees; and at such sitting the assignees shall deliver upon oath a true statement in writing of all money received by them respectively, and when, and on what account, and how the same has been employed; and the court shall examine such statement, and compare the receipts with the payments, and ascertain what balances have been from time to time in the hands of such assignees respectively, and it shall be lawful for the court to examine the assignees upon oath touching the truth of such accounts, and to make therein all just allowances.

186. That the court may, as often as it shall appear expedient for the bankrupt's estate, direct any money, part of such estate, to be invested in the purchase of Exchequer bills, for the benefit of the creditors, and may direct where and with whom such Exchequer bills shall be kept, and cause such Exchequer bills to be sold when it shall appear to such court expedient, and may direct the proceeds thereof to be again laid out in the purchase of Exchequer bills, or to be applied for the benefit of the creditors, the making of any such purchase or sale to be subject to the rules or orders at any time in force under this act relating to the purchase, sale, or transfer of Exchequer bills by the accountant in bankruptcy.

And with respect to the dividend, be it enacted,

187. That the court shall, whenever it shall think fit, appoint a public sitting to be holden after the sitting appointed for the last examination of the bankrupt, when there are assets wherewith a dividend may be made, (of which public sitting, and of the purport whereof, twenty-one days' notice shall be given in the London Gazette), to make a dividend of the bankrupt's estate, and shall at such sitting direct such part of the net produce of the bankrupt's estate as it may think fit to be forthwith divided amongst such creditors as have proved debts under the bankruptcy, in proportion to their respective debts, and shall make an order in writing under the hand of the commissioner for dividend accordingly, to be filed with the proceedings, which order shall contain an account of the amount of the debts proved, of the money to be divided, of how much in the pound is then ordered to be paid to the creditors, and of the money allowed by the court to be retained, and of the reason for retaining the same; and the official assignee, in pursuance of such order, shall forthwith make such dividend in manner directed by the rules at any time in force under this act relating to the mode of payment of dividends by the official assignees; but no dividend shall be declared unless the accounts of the assignees shall have been first audited.

188. That if the bankrupt's estate shall not have been wholly divided upon the first dividend, the court shall, within eighteen months after the issuing of the fiat, or the filing of the petition for adjudication of bankruptcy, appoint a public sitting (whereof, and of the purport whereof, twenty-one days' notice shall be given in the London Gazette) to make a second dividend, when all creditors who have not proved their debts may prove the same, and at such sitting, but after such an audit as is directed by this act, shall order the balance in hand to be forthwith divided among such of the creditors as shall have proved their debts; and such second dividend shall be final, unless any action at law or suit in equity be depending, or any part of the estate be standing out not sold or disposed of, or unless some other estate or effects of the bankrupt shall afterwards come to the assignees, in which case they shall, as soon as may be, convert such estate and effects into money, and within two months after the same shall be so converted the same shall also be divided in manner aforesaid; and if at the expiration of two years from the issuing of any fiat, or the filing of any petition for adjudication of bankruptcy, there shall remain any outstanding debts or other property due or belonging to the estate of the bank-

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rupt, which cannot, in the opinion of the court, be collected and received without unreasonable or inconvenient delay, it shall be lawful for the assignees, under the direction of the court, to sell and assign such debts and other property, and also the books of the bankrupt relating to his trade, dealings, or estate, in such manner and subject to such conditions as shall be ordered by the court; and any person to whom any of such debts shall be so sold or assigned may sue for the same in his own name as fully as the assignees of such bankrupt might have done.

189. That fourteen days before a final dividend shall be advertised under any bankrupt's estate there shall be sent by the official assignee to each creditor's assignee of such estate a debtor and creditor account between the official assignee and such estate, shewing also the monies remaining uncollected under such estate, and the cause of such monies remaining uncollected; and a copy of such account shall be delivered to any creditor who shall apply for the same to the official assignee, and who shall have proved or claimed a debt, and to any other person, such person, if not a creditor, paying such sum, not exceeding 2*s.* 6*d.*, as shall be settled by the court for every such copy.

190. That no action for any dividend shall be brought against any assignee by any creditor who shall have proved under the bankruptcy; but if the official assignee shall refuse to pay any such dividend, the court may order payment thereof, with interest for the time that it shall have been withheld, and may also order the costs of the application.

And with respect to unclaimed dividends, be it enacted,

191. That all unclaimed dividends, and also any undivided surplus of a bankrupt's estate over and above the amount finally directed to be divided amongst the creditors of any bankrupt, shall be paid into the Bank of England to the credit of the accountant in bankruptcy, to be carried to the account intituled "The Unclaimed Dividend Account," subject to the order of the Lord Chancellor, or of the Vice-Chancellor, or of any court acting in prosecution of any bankruptcy, for the payment thereout of any dividend due to any creditor.

192. That, subject to any rule at any time in force under this act relating to unclaimed dividends, if any assignee under any bankruptcy shall have, either in his own hands, or at any banker's, or otherwise subject to his order or disposition, or shall know that there is or are in the hands or subject to the order and disposition of himself and any co-assignee or co-assignees, or if any or either of them, any unclaimed dividend or dividends, or any such undivided surplus as aforesaid, such assignee shall, as to any such now existing unclaimed dividend or dividends, within one year after the passing of this act, and as to any future dividend or dividends within three calendar months next after the expiration of one year from the time of the declaration and order of payment of such future dividend or dividends, either pay the same to the creditor or creditors or other the person or persons entitled to the same respectively, or cause a certificate thereof respectively to be filed in the office of the Lord Chancellor's Secretary of Bankrupts, containing a full and true account of the name or names of the creditor or creditors to whom such unclaimed dividend or dividends is or are respectively due, and of the amount of such dividend or dividends respectively, and shall in like manner, as to any such now existing undivided surplus as aforesaid within one year after the passing of this act, and as to any such future undivided surplus as aforesaid within three calendar months next after the expiration of one year after the final declaration of dividends, cause a certificate, stating the full and true amount of such surplus, to be filed in the office of the Lord Chancellor's Secretary of Bankrupts; and every certificate to be filed as aforesaid shall be signed by the assignee or assignees filing the same; and every assignee shall, within one year next after the filing of any such certificate as aforesaid, pay or cause to be paid into the Bank of England to the name of the accountant in bankruptcy, to be carried to the account intituled "The Unclaimed Dividend Account," the full amount of the unclaimed dividends mentioned in such certificate, or so much thereof as shall not have been then paid to the creditor or creditors or other person or persons entitled thereto, and also the full amount of such undivided surplus as aforesaid; and every official assignee shall cause a certificate to be filed of all unclaimed dividends and undivided surplus belonging to any bankrupt's estate under his care and management, in such manner and subject to such provisions as above prescribed with respect to unclaimed dividends and undivided surplus, and if the official assignee had such dividends or undivided surpl in his own hands: provided always, that no certificate of u unclaimed dividends shall be filed until the expiration of o year after the declaration and order for payment of such d vidends.

193. That the accountant in bankruptcy shall, on the applic tion of any assignee, give to him a certificate stating the amou of any sum of money which he may be desirous of paying in the Bank of England under the provisions hereinbefore co tained, and on the production of such last-mentioned certifica the governor and company of the Bank of England shall r ceive the sum therein mentioned, and give a receipt for t same, and shall forthwith carry the same to the credit of the a countant in bankruptcy to the account intituled "The U claimed Dividend Account;" and every such certificate and r ceipt shall be given without fee or reward.

And with respect to allowances to the bankrupt, be it enacte

194. That it shall be lawful for the court, if it think f from time to time to make such allowance to the bankrupt o of his estate, until he shall have passed his last examination, shall be necessary for the support of himself and his family: pr vided always, that no such allowance shall be made by the cou for any period after the adjournment of the last examinati sine die.

195. That every bankrupt who shall have obtained his cert ficate, if the net produce of his estate in hand shall by any ord of dividend (with or without prior dividend) pay the creditor who before or at the time of making such order have prove under the bankruptcy 10*s.* in the pound, shall be allowed a paid 5*l.* per centum out of such produce, provided such allow ance shall not exceed 400*l.*; and every such bankrupt, if suc produce shall (with or without prior dividend) pay such cre ditors 12*s.* 6*d.* in the pound, shall be allowed and paid as afore said 7*l.* 10*s.* per centum, provided such allowance shall not ex ceed 500*l.*; and every such bankrupt, if such produce shal (with or without prior dividend) pay such creditors 15*s.* in th pound or upwards, shall be allowed and paid 10*l.* per centum provided such allowance shall not exceed 600*l.*: provided al ways, that no such allowance shall be payable to any bankrupt until after the expiration of twelve months from the issuing o the fiat or the filing of the petition for adjudication of bank ruptcy, and such allowance shall then be payable only in th event of the dividends paid to the creditors who at any time before the expiration of such twelve months shall have proved debts, being of the requisite amount in that behalf aforesaid; and if at the expiration of such time the dividends paid shall not amount to 10*s.* in the pound, it shall be lawful for the court to allow such bankrupt so much as the assignees and court shall think fit, not exceeding 3*l.* per centum and 300*l.*: provided always, that the court shall, if it think fit, reduce any allowance in case it shall have only granted the bankrupt a certificate of the second or third class.

196. That in all joint fiats or petitions for adjudication of bankruptcy under which any partner shall have obtained his certificate, if a sufficient dividend shall have been paid upon the joint estate and upon the separate estate of such partner, he shall be entitled to his allowance, although the other partner may not be entitled to any allowance.

197. That if the produce of the estate of any bankrupt shall be sufficient to pay 20*s.* in the pound and interest as hereinafter mentioned, and to leave a surplus, the court may order such surplus to be paid to such bankrupt, his executors, administrators, or assigns; and every such bankrupt shall be entitled to recover the remainder, if any, of the debts due to him; but such surplus shall not be paid until all the creditors who have proved shall have received interest upon their debts to be calculated and paid at the rate and in the order following; viz. all creditors whose debts are by law entitled to carry interest in the event of a surplus shall first receive interest on such debts at the rate of interest reserved or by law payable or provable thereon, to be calculated from the date of the fiat or the filing of the petition for adjudication of bankruptcy; and after such interest shall have been paid, all other creditors who have proved shall receive interest on their debts from the date of the fiat or of such petition at the rate of 4*l.* per centum per annum.

And with respect to the certificate of conformity, be it enacted,

198. That, forthwith after the bankrupt shall have passed

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his last examination, the court shall appoint a public sitting for the allowance of his certificate, (whereof, and of the purport whereof, twenty-one days' notice shall be given in the London Gazette and to the solicitor of the assignees), and at such sitting the assignees, or any of the creditors of such bankrupt who shall have given to the registrar of the court three clear days' notice in writing of his intention to oppose, may be heard against the allowance of such certificate; and the court, having regard to the conformity of the bankrupt to the law of bankruptcy, and to his conduct as a trader before as well as after his bankruptcy, and whether the allowance of such certificate be opposed by any creditor or not, shall judge of any objection against allowing such certificate, and either find the bankrupt entitled thereto, and allow the same, or refuse or suspend the allowance thereof, or annex such conditions thereto as the justice of the case may require.

199. That the certificate of conformity under this act shall be in writing under the seal of the court and the hand of the commissioner, and shall certify that the bankrupt has made a full discovery of his estate and effects, and in all things conformed, and that, so far as the court can judge, there does not appear any reason to question the truth or fulness of such discovery, (and shall be in the form contained in Schedule (Z.) to this act annexed, or to the like effect); and notice of the allowance of such certificate and of the class thereof shall be advertised in the London Gazette, in such manner as may be directed by any rule or order to be made in pursuance of this act; and every certificate of conformity allowed by any commissioner before the time appointed for the commencement of this act, though not confirmed according to the laws in force before that time, shall discharge the bankrupt from all debts due by him when he became bankrupt, and from all claims and demands made provable under the fiat.

200. That the certificate of conformity allowed under this act, subject to the provisions herein contained, shall discharge the bankrupt from all debts due by him when he became bankrupt, and from all claims and demands made provable under the bankruptcy: provided always, that no such certificate shall release or discharge any person who was a partner with such bankrupt at the time of his bankruptcy, or was then jointly bound or had made any joint contract with such bankrupt.

201. That no bankrupt shall be entitled to a certificate of conformity under this act, and any such certificate, if allowed, shall be void, if such bankrupt shall have lost by any sort of gaming or wagering in one day 20*l.*, or within one year next preceding the issuing of the fiat or filing of the petition for adjudication of bankruptcy 200*l.*, or if he shall within one year next preceding the issuing of the fiat or the filing of such petition have lost 200*l.* by any contract for the purchase or sale of any Government or other stock, where such contract was not to be performed within one week after the contract, or where the stock bought or sold was not actually transferred or delivered in pursuance of such contract; or if such bankrupt shall, after an act of bankruptcy, or in contemplation of bankruptcy, or with intent to defeat the object of this or any other statute relating to bankrupts, have parted with, concealed, destroyed, altered, mutilated, or falsified, or caused to be concealed, destroyed, altered, mutilated, or falsified, any of his books, papers, writings, or securities, or made or been privy to the making of any false or fraudulent entry in any book of account or other document with intent to defraud his creditors, or shall have concealed any part of his property, or if any person having proved a false debt under the bankruptcy, such bankrupt being privy thereto, or afterwards knowing the same, shall not have disclosed the same to his assignees within one month after such knowledge.

202. That any contract or security made or given by any bankrupt or other person unto or in trust for any creditor, for securing the payment of any money due by such bankrupt at his bankruptcy, as a consideration or with intent to persuade such creditor to forbear opposing, or to consent to the allowance of the bankrupt's certificate, or to forbear to petition for the recall of the same, shall be void, and the money thereby secured or agreed to be paid shall not be recoverable, and the party sued on such contract or security may plead the general issue, and give this act and the special matter in evidence.

(*To be continued*).

London Gazettes.

TUESDAY, October 2.

BANKRUPTS.

THOMAS KING the elder, Orchard-place, East Greenwich, Kent, baker, dealer and chapman, Oct. 10 at half-past 12, and Nov. 16 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Moss, 12, Gray's-inn-square, and Asylum-road, Old Kent-road.—Fiat dated Sept. 25.

JOSEPH FORD, Richmond, Surrey, licensed victualler, dealer and chapman, Oct. 8 at 2, and Nov. 19 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Roberts, Richmond, Surrey; Harris, 34, Moorgate-street, London.—Fiat dated Sept. 28.

LION GUILLEAUME, Berners-street, Oxford-street, Middlesex, manufacturer of artificial flowers and dealer in lace, dealer and chapman, (trading under the name, style, and firm of Lion Guilleaume & Co.), Oct. 8 at 1, and Nov. 19 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Sydney, Finsbury-circus.—Fiat dated Sept. 28.

JAMES FORD, Colchester, Essex, ginger beer manufacturer and publican, dealer and chapman, Oct. 8 at 11, and Nov. 26 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Bull, Ely-place.—Fiat dated Oct. 1.

HENRY PATERSON, Hippodrome Livery Stables, Notting-hill, Middlesex, livery stable keeper and horse dealer, Oct. 10 at 12, and Nov. 14 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Pain & Hatherly, Great Marlborough-street.—Fiat dated Oct. 1.

JOHN THOMPSON, Piccadilly, Middlesex, linen draper, dealer and chapman, Oct. 18 at 12, and Nov. 20 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Moseley, 13, Bedford-street, Covent-garden.—Fiat dated Oct. 1.

HENRY CLARKE, Leicester, cabinet maker, dealer and chapman, Oct. 12 at 11, and Nov. 9 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Hodgson, Birmingham; Hardwick & Davidson, Weavers' Hall, London.—Fiat dated Sept. 12.

RICHARD TRUSWELL, Sheffield, Yorkshire, banker, dealer and chapman, Oct. 20 and Nov. 10 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Ryalls, Sheffield; Moss, Serjeants'-inn, London.—Fiat dated Sept. 21.

JOHN HARTAS, Sinnington-with-Marton, Yorkshire, corn miller, dealer and chapman, Oct. 18 and Nov. 15 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Payne & Co., Leeds.—Fiat dated Sept. 28.

MICHAEL M'DONNELL, Liverpool, shipowner, victualler, dealer and chapman, Oct. 15 and Nov. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Holden, Liverpool; Keightley & Co., Chancery-lane.—Fiat dated Sept. 26.

Meetings.

Wm. Browning, Whitstable, Kent, grocer, Oct. 13 at half-past 12, Court of Bankruptcy, London, pr. d. and div.—*John Lewtas*, Manchester, cabinet maker, Oct. 25 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Nath. Batho*, Manchester, machine maker, Oct. 25 at 12, District Court of Bankruptcy, Manchester, aud. ac.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George H. Blake, Mount-st., Grosvenor-sq., Middlesex, cabinet maker, Oct. 24 at 11, Court of Bankruptcy, London.—*Joseph Forrester*, Whitehaven, Cumberland, mercer, Oct. 23 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Martin Nunn*, Regent-circus, Oxford-street, Middlesex, childbed-linen warehouseman, Oct. 26 at 12, Court of Bankruptcy, London.—*Wm. Labrey*, Manchester, grocer, Oct. 25 at 12, District Court of Bankruptcy, Manchester.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 23.

Wm. H. Cooke, Denton, Lancashire, hat manufacturer.—*George Mathias*, Glastonbury, Somersetshire, scrivener.—

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Joseph Oliver Lyon, Chatteris, Isle of Ely, Cambridgeshire, farmer.

FIAT ANNULLED.

John Bell and *James Bell* the younger, Richmond, Yorkshire, drapers.

SCOTCH SEQUESTRATIONS.

Joseph Valentine, deceased, Marykirk, Kincardineshire, wood merchant.—*George Kermath*, Langlands of Turin, Forfarshire, farmer.—*James Young*, Leith, wine merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Henry Ashmore, Birmingham, button manufacturer, Oct. 13 at 2, County Court of Warwickshire, at Birmingham.—*John Lane*, Birmingham, out of business, Oct. 13 at 2, County Court of Warwickshire, at Birmingham.—*George Bradford*, Birmingham, steel-pen maker, Oct. 13 at 2, County Court of Warwickshire, at Birmingham.—*Joseph Green*, Harborne, Staffordshire, cordwainer, Oct. 13 at 2, County Court of Warwickshire, at Birmingham.—*William Cox*, Birmingham, cooper, Oct. 13 at 2, County Court of Warwickshire, at Birmingham.—*William Baker*, Burnham, Somersetshire, ironmonger, Oct. 20 at 2, County Court of Somersetshire, at Axbridge.—*John Humphrey Pates*, Twyford, Buckinghamshire, grocer, Oct. 19 at 11, County Court of Buckinghamshire, at Buckingham.—*Edward Wray*, Tetney, Lincolnshire, out of business, Oct. 16 at 1, County Court of Lincolnshire, at Great Grimsby.

Saturday, Sept. 29.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Richard Broster, Birmingham, agent and bookkeeper, No. 71,329 C.; William Clayton, assignee.—*Joseph Ashford*, Egham, Surrey, licensed victualler, No. 49,806 T.; Samuel Morgan, assignee.—*Thomas Blackwell*, Matts Cross, Tunbridge, Kent, miller, No. 71,544 C.; George Lambert and William Todd, assignees.—*Richard Wilkes*, Woodstock, Oxfordshire, coachmaker, No. 71,474 C.; Henry Hall, assignee.

Saturday, Sept. 29.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Johan Heinrich Gartenfeld, Laurie-terrace, New Kent-road, Surrey, tailor: in the Gaol of Horsemonger-lane.—*Henry Haltier Hatch*, Windsor-terrace, Great Dover-road, Surrey, out of business: in the Debtors Prison for London and Middlesex.—*John Augustus Gustavus Smith*, Bristol, Gloucestershire, auctioneer: in the Debtors Prison for London and Middlesex.—*Thomas Wenham*, late of the Queen's Prison, Surrey, gentleman: in the Gaol of Horsemonger-lane.—*John Plowman*, Mexican-terrace, Albion-street, King's-cross, Middlesex, commercial traveller: in the Debtors Prison for London and Middlesex.—*Thomas Phillips*, Upper Albany-street, Regent's-park, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*John Mountford*, Wharf-road, Pritchard's-road, Regent's Canal, Hackney, Middlesex, boilermaker: in the Debtors Prison for London and Middlesex.—*Holcomb William Hatfield*, Battersea-square, Battersea, Surrey, plumber: in the Gaol of Horsemonger-lane.—*Edward John Lilly*, Union-street, Somers-town, Middlesex, watchmaker: in the Debtors Prison for London and Middlesex.—*Thos. Winter*, Farringdon-street, London, hairdresser: in the Debtors Prison for London and Middlesex.—*W. Seaborn*, Denmark-st., Cold-harbour-lane, Camberwell, Surrey, carpenter: in the Queen's Prison.—*Jas. T. Edwards*, Elizabeth-terrace, Chelsea, Middlesex, builder: in the Gaol of Horsemonger-lane.—*Henry Wade Smith*, New-road, Old Charlton, Kent, carpenter: in the Queen's Prison.—*Joseph Williams*, Blackfriars-road, Surrey, porter merchant: in the Queen's Prison.—*John Saunders Starling*, New-street-square, Fetter-lane, London, clerk in the Custom-house: in the Debtors Prison for London and Middlesex.—*Philip Martin*, East Moulsey, near Hampton-court, Middlesex, porter: in the Debtors Prison for London and Middlesex.—*James Thomas Kevill*, Red Lion-st., Clerkenwell, Middlesex, commission agent: in the Queen's Prison.—*Abraham Wilkinson*, Latimore-road, Shepherd's-bush, Middlesex, bricklayer: in the Queen's Prison.—*Hugh Little Jones*, Toxteth-park, Liverpool, bootmaker: in the Gaol of Lancaster.—*Richard Stansfield*, Burnley, Lancashire, baker: in the Gaol of Lancaster.—*John Pollard*, Liverpool, grocer: in the Gaol of Lancaster.—*Peter Hewitt*, St. Helen's, Lancashire, china dealer: in the Gaol of Lancaster.—*John Barnard*, Billingborough, near Falkingham, Lincolnshire, druggist: in the Gaol of Lincoln.—*George Milburn*, Radcliffe, near Bury, Lancashire, dyer: in the Gaol of Lancaster.—*Thomas Ogley*, Epworth, Axholme, Lincolnshire, farmer: in the Gaol of Lincoln.—*John Titterington*, York, commission agent in wool: in the Gaol of York.—*J. Blackburn* the elder, Sydenham, Lewisham, Kent, minister of Claremont Chapel, Pentonville, Middlesex: in the Gaol of Maidstone.—*J. Chantler*, Newcastle-upon-Tyne, out of business: in the Gaol of Newcastle-upon-Tyne.—*J. Dearden*, Pinfold, near Rochdale, Lancashire, out of business: in the Gaol of Lancaster.—*Wm. Haythorn*, Plymouth, Devonshire, baker: in the Gaol of St. Thomas the Apostle.—*Hugh Hughes*, Gwernddyfrgi Llanycil, Merionethshire, cattle drover: in the Gaol of Dolgelly.—*James Alfred Stamford*, Southwold, Suffolk, surgeon: in the Gaol of Ipswich.—*Thomas Frederick Beales*, Salford, Manchester, out of business: in the Gaol of Lancaster.—*Thomas Grant*, Dodbrooke, Devonshire, mate of The Candidate schooner, of Salcombe, Devonshire: in the Gaol of St. Thomas the Apostle.

(On Creditor's Petition).

Thomas Holmes, Bootle-road, near Liverpool, joiner: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, *Oct. 16 at 10.*

James Alfred Stamford, Southwold, surgeon.—*George Culyer*, Aldborough, watchmaker.—*Joseph Wade*, Wickham-market, baker.

At the County Court of Hampshire, at WINCHESTER, *Oct. 15.*

John Stares, Emsworth, Warblington, greengrocer.

FRIDAY, OCTOBER 5.

BANKRUPTS.

JAMES TIDMARSH, Regent-street, Middlesex, and Cheltenham, Gloucestershire, draper, Oct. 17 at 2, and Nov. 20 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lepard & Co., 9, Cloak-lane.—Fiat dated Sept. 26.

EDWARD SMALLWOOD, late of North-end, Hampstead, and of Hendon, Middlesex, but now of Crigglestone, Sandal Magna, Yorkshire, schoolmaster, brick and tile maker, dealer and chapman, Oct. 17 at 11, and Nov. 20 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Clarke, 30, Southampton-buildings, Holborn, London.—Fiat dated Oct. 3.

DANIEL MALLETT, College-street, Belvedere-road, Lambeth, Surrey, lighterman, dealer and chapman, Oct. 13 at half-past 1, and Nov. 26 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Barnard, 14, York-road, Lambeth.—Fiat dated Sept. 28.

WILLIAM WOODS, Mount-place, Walworth-road, Surrey, ironmonger, Oct. 12 at 1, and Nov. 26 at half-past 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Solomon, 5, Chester-terrace, Borough-road, Southwark.—Fiat dated Oct. 3.

JAMES REDWARD, Portsea, Southampton, fishmonger, dealer and chapman, Oct. 16 at 1, and Nov. 15 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Edgcombe & Son, Portsea; Pownall & Cross, Staple-inn, Holborn.—Fiat dated Oct. 2.

JAMES BUDDRY RUSSELL, Norwich, grocer and tallowchandler, Oct. 16 at 2, and Nov. 14 at 1, Court of Bankruptcy, London: Sols. Wortley, Norwich; Brooke, New Boswell-court.—Fiat dated Oct. 3.

HENRY CRASKE, late of Grislingham, Suffolk, but now of Wickham Skeith, grocer and draper, dealer and chapman, Oct. 16 and Nov. 14 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Walter & Co., Symonds'-inn.—Fiat dated Oct. 1.

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JOSEPH MORRIS, Tettenhall, Staffordshire, butcher, innkeeper, dealer and chapman, Oct. 13 and Nov. 10 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Corser & Underhill, Wolverhampton; Motteram & Co., Birmingham.—Fiat dated Sept. 28.

JOHN HOLDEN, Burslem, Staffordshire, earthenware manufacturer, dealer and chapman, Oct. 20 and Nov. 20 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Bishop & Twigg, Staffordshire Potteries; Wolston, 8, Furnival's-inn.—Fiat dated Oct. 1.

JOHN RICHARDS, Cefncoedcymmer, Vaynor, Breconshire, licensed victualler, builder, contractor, haulier, dealer and chapman, Oct. 18 and Nov. 15 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Phillpotts, Cardiff, or John-street, Bedford-row.—Fiat dated Sept. 28.

SAMUEL ROBINSON, Barnsley, Yorkshire, cotton spinner, dealer and chapman, Oct. 19 and Nov. 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Ascroft, Oldham, Lancashire.—Fiat dated Oct. 1.

GEORGE SMITH, Pictou, Nova Scotia, British America, now of Liverpool, England, merchant, shipbuilder, commission merchant, dealer and chapman, Oct. 17 and Nov. 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Holden, Liverpool; Keightley & Co., Chancery-lane, London.—Fiat dated Oct. 3.

MARY BELL SHOOLBRED, widow, Manchester, cotton manufacturer, dealer and chapwoman, Oct. 15 and Nov. 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Hadfield, Manchester; Johnson & Co., Temple, London.—Fiat dated Oct. 3.

THOMAS DARCH, Clifton, Bristol, hackney fly proprietor and livery-stable keeper, Oct. 19 and Nov. 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Sabine, Bristol; Trehern & White, Bucklersbury.—Fiat dated Oct. 1.

Meetings.

William Cotton, Moseley, King's Norton, Worcestershire, timber merchant, Oct. 30 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; at 11, pr. d.—*J. Everall*, Whitchurch, Shropshire, chemist, Oct. 30 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; at 11, pr. d.; Nov. 13 at 10, div.—*T. Maddocks* the younger, Bollow, Westbury-upon-Severn, Gloucestershire, farmer, Oct. 30 at 11, District Court of Bankruptcy, Bristol, pr. d.—*Hugh Williams*, Birkenhead, Cheshire, builder, Oct. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Fox*, Charlestown, near Glossop, Derbyshire, paper manufacturer, Oct. 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Oct. 30 at 12, div.—*Robert Moon* the elder and *Robert Moon* the younger, Greenfield, near Colne, Lancashire, manufacturers, Oct. 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Oct. 31 at 12, div.—*John Michell*, Feock, Cornwall, merchant, Oct. 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Oct. 31 at 11, div.—*John Bearne Davis*, Newton Abbott, Devonshire, ironmonger, Oct. 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Oct. 31 at 11, div.—*H. Turner*, Wolverhampton, Staffordshire, scrivener, Oct. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*William Ashmore*, Birmingham, carrier, Oct. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*William Saxe Pearson*, Burslem, Staffordshire, druggist, Nov. 13 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Edmund Botham Broughton*, Southampton-st., Covent-garden, Middlesex, tailor, Oct. 30 at half-past 1, Court of Bankruptcy, London, div.—*Hannah Prosser*, Wigmore-st., Cavendish-square, and *Ann Prosser*, Mount-st., Grosvenor-square, Middlesex, milliners, Oct. 29 at 1, Court of Bankruptcy, London, div.—*Edmund Bick Bradley*, Nine-elms, Surrey, maltster, Oct. 30 at 12, Court of Bankruptcy, London, div.—*Robert Halls*, Colchester, Essex, fishmonger, Oct. 29 at 2, Court of Bankruptcy, London, div.—*Anne Beetson Graham*, Park-st., Grosvenor-square, Middlesex, milliner, Oct. 29 at 12, Court of Bankruptcy, London, div.—*Richard Ginger Clode*, Windsor, Berkshire, corn merchant, Oct. 30 at half-past 11, Court of Bankruptcy, London, div.—*Thos. Ridsdale* the younger, Milton next Gravesend, Kent, ironmonger, Oct. 30 at 11, Court of Bankruptcy, London, div.—*James Fred. Barwick*, Old-st., St. Luke's, Middlesex, wheelwright, Oct. 30 at half-past 12, Court of Bankruptcy, London, div.—*Thos. Radford*, Stanford-le-Hope, Essex, apothecary, Oct. 31 at 1, Court of Bankruptcy, London, div.—*John Nokes*, Guildford-st., Russell-square, Middlesex, builder, Oct. 30 at 2, Court of Bankruptcy, London, div.—*Richard Satchell* the younger, Winsley-st., Oxford-st., and Hyde, near Hendon, Middlesex, cowkeeper, Oct. 30 at 1, Court of Bankruptcy, London, div.—*Saml. Weaver* and *Benj. Hickman*, Ludlow, Shropshire, mercers, Oct. 30 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*Hugh Williams*, Birkenhead, Cheshire, builder, Oct. 30 at 11, District Court of Bankruptcy, Liverpool, div—*Nathaniel Batho*, Manchester, machine maker, Oct. 26 at 12, District Court of Bankruptcy, Manchester, fin. div.—*John Lewtas*, Manchester, cabinet maker, Nov. 1 at 11, District Court of Bankruptcy, Manchester, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Davis, Bisterne Close, near Ringwood, Southampton, oatmeal manufacturer, Oct. 31 at 2, Court of Bankruptcy, London.—*John Fitzgerald*, Portland-place, Middlesex, and Pendleton, Lancashire, coal merchant, Oct. 30 at 12, Court of Bankruptcy, London.—*William Benjamin Gough*, Newport Pagnell, Buckinghamshire, grocer, Oct. 31 at half-past 11, Court of Bankruptcy, London.—*George Henry Bore*, Stanway, Essex, surgeon, Oct. 31 at 11, Court of Bankruptcy, London.—*Thomas Jones*, Caron, Cardiganshire, cattle salesman, Oct. 30 at 11, District Court of Bankruptcy, Bristol.—*James Houiss*, Cheltenham, Gloucestershire, paper stainer, Oct. 29 at 11, District Court of Bankruptcy, Bristol.—*Thomas Maddocks* the younger, Pencoyd, near Ross, Herefordshire, farmer, Oct. 30 at 11, District Court of Bankruptcy, Bristol.—*Wm. Cotton*, Moseley, King's Norton, Worcestershire, timber merchant, Nov. 13 at 10, District Court of Bankruptcy, Birmingham.—*William Tomlinson*, Hinckley, Leicestershire, innkeeper, Oct. 30 at 11, District Court of Bankruptcy, Birmingham.—*William Perry*, Swindon, Staffordshire, corn dealer, Oct. 30 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 26.

C. H. Lambert, Kingston-upon-Hull, druggist.—*Thomas Walker*, Abingdon, Berkshire, apothecary.—*James Stokes*, Dover, Kent, saddler.—*Thos. Radford*, Stanford-le-Hope, Essex, apothecary.—*E. H. Fereday*, Bilston, Staffordshire, oil merchant.—*Wm. Stevens*, Acton-street, Gray's-inn-road, Middlesex, builder.—*Zebulan Leigh*, Manchester, coffee merchant.—*John Fisher*, Bristol, livery-stable keeper.—*Brailsford Bright*, Bishopsgate-street Within, London, merchant.—*John B. Hamilton*, Grange-walk, Bermondsey-square, Bermondsey, Surrey, wholesale confectioner.

Fiat Annulled.

John Wright, South Shields, Durham, banker.

Partnership Dissolved.

Edward Corser and *R. H. Whitcombe*, Birmingham, attornies, solicitors, and conveyancers, (under the firm of Corser & Whitcombe).

Scotch Sequestration.

James Scott, Scatterty, King Edward, Aberdeenshire, cattle dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Smith, Derby, printer, Oct. 20 at 11, County Court of Derbyshire, at Derby.—*Josiah Mee*, Derby, out of business, Oct. 20 at 11, County Court of Derbyshire, at Derby.—*Robt. Higgitt*, Coventry, Warwickshire, baker, Oct. 24 at 2, County Court of Warwickshire, at Coventry.—*Edward Winkless*, Coventry, baker, Oct. 24 at 2, County Court of Warwickshire, at Coventry.—*Thomas Riddell*, Berwick-upon-Tweed, out of business, Oct. 23 at 12, County Court of Northumberland, at Berwick.—*James Longland*, Turvey, Bedfordshire, carpenter, Oct. 24 at 10, County Court of Bedfordshire, at Bedford.—*Jos. Robson*, Newcastle-upon-Tyne, builder, Oct. 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*E. Turner*, Bedworth, Warwickshire, plumber, Oct. 25 at 11, County Court of Warwickshire, at Nuneaton.—*George Moulson* and *Jonathan Moulson*, Horton, Bradford, Yorkshire, stonemasons, Oct. 27 at 11, County Court of York-

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shire, at Bradford.—*Wm. Duckett*, Chorley, Lancashire, plasterer, Oct. 29 at 10, County Court of Lancashire, at Preston.—*Joseph Corthorn*, Lincoln, tailor, Oct. 18 at 10, County Court of Lincolnshire, at Lincoln.—*Thomas Hebbet*, Brighton, Sussex, fruiterer, Oct. 12 at 1, County Court of Sussex, at Brighton.—*John S. Hunt*, Exeter, Devonshire, keeping a day and boarding school, Oct. 16 at 10, County Court of Berkshire, at Newbury.—*Wm. Pike* the younger, Newbury, Berkshire, out of business, Oct. 16 at 10, County Court of Berkshire, at Newbury.—*Wm. Mapp*, Tirrels, Tenbury, Worcestershire, labourer, Oct. 25 at 2, County Court of Worcestershire, at Tenbury.—*Wm. Humphries*, Redditch, Worcestershire, needle scourer, Oct. 30 at 9, County Court of Worcestershire, at Redditch.—*James Greaves*, Alvechurch, Worcestershire, coal dealer, Oct. 30 at 9, County Court of Worcestershire, at Redditch.—*Richard Bateman*, Stourbridge, Worcestershire, carpenter, Oct. 22 at 10, County Court of Worcestershire, at Stourbridge.—*Geo. Bennett*, Lower Milton, Kidderminster, Worcestershire, shoemaker, Oct. 24 at 9, County Court of Worcestershire, at Kidderminster.—*Peter Emmett*, Ipswich, Suffolk, shoemaker, Oct. 18 at 10, County Court of Suffolk, at Ipswich.—*G. H. Waller*, Ipswich, Suffolk, labourer, Oct. 18 at 10, County Court of Suffolk, at Ipswich.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, *Oct.* 24.

Charles Maybury the younger, Aston, near Birmingham, out of business.—*Edward Bates*, Hillmorton, out of business.

At the County Court of Derbyshire, at DERBY, *Oct.* 20 *at* 11.

H. Slagg, Mosborough, Eckington, out of business.—*John Hawgood*, Derby, out of business.

At the County Court of Bedfordshire, at BEDFORD, *Oct.* 24 *at* 10.

Thomas Islip, Bedford, victualler.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *Oct.* 20 *at* 10.

John Chantler, Newcastle-upon-Tyne, out of business.—*John Gallon*, Newcastle-upon-Tyne, shipsmith.

At the County Court of Lincolnshire, at LINCOLN, *Oct.* 18 *at* 10.

John Barnard, Billingborough, near Falkingham, druggist.—*Thomas Ogley*, Axholme, farmer.

MEETING.

Christopher Hill Featherstonhaugh, Sunderland-near-the-Sea, Durham, common brewer, Oct. 16 at 12, at Veitch's, City Tavern, Durham, sp. aff.

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Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, OCTOBER 13, 1849.

We return to the subject of satisfied terms, not for the purpose of any further discussing the case of *Doe* d. *Clay* v. *Jones*, which has received in the preceding number all the consideration due to it, but for the purpose of discussing the general principle of the old law as to the use it permitted to be made of satisfied terms; and we do so, because, as it was fondly hoped that the 8 & 9 Vict. c. 119, had given the death-blow to the keeping up of terms by way of protection, many, especially young lawyers, had begun to treat the learning of them as learning yearly diminishing in frequency of application, and over which they might pass lightly, not absolutely neglecting it, but not caring so much about either its principles or its practice as did their fathers, and therefore forgetting a good deal about both. Out of this dream *Doe* d. *Clay* v. *Jones* (assuming it to be law) has roused the enthusiasts, who imagined, in their legal sleep, that so lovely a piece of technicality as the doctrine of getting in satisfied terms, possessing the double charm of absurdity and injustice, could be permitted to be at once annihilated by any act of Parliament.

That we are not speaking too strongly against the doctrine of protection by the getting in of outstanding terms, a very little consideration will, we think, satisfy any one. A term was originally created by the owner of the legal inheritance for some substantial purpose, such as to secure an advance of money; and for that purpose it was reasonable to give to the person intended to be secured, the right of possession, with all its powers and incidents. When the money was paid off, of course there was an end of all substance in the term, as regarded the person for whose protection it was originally created; but the legal estate in it being still subsisting, it was said it should be thenceforth held in trust to attend and to protect the inheritance.

If by the inheritance had been intended the real equitable inheritance—that is, the right of that one out of several purchasers to whom equity would have given the preference—there would have been no injustice, though there would have been little use in treating the satisfied term as attending and protecting the inheritance. But this was not what the old law did: it gave to any person who had dealt with the party purporting to have the inheritance, though he might really have nothing whatever to do with it, the protection of the legal estate in the term, if he could get it. So that a satisfied term never had any real operation at all, except to protect a person who had no title, or a defective title, to the equitable inheritance; for it is quite clear that there can be but one real owner of an inheritance, viz. either the original owner, or the first purchaser from such owner; if there be any second purchaser, whether with or without notice, he clearly obtains no estate whatever, either at law or in equity. Now, even upon legal principle, it is altogether wrong to say, that, as between B., who purchases the equitable inheritance from A., the owner of it, and C., a subsequent purchaser, to whom A. fraudulently affects to sell an inheritance which is no longer his, the equities are equal. The equities are, on the contrary, totally unequal, for B. has really bought an existing equitable estate, while C. has bought nothing at all; and to say that a satisfied term, which attended the inheritance, may be used by C., not to protect the inheritance, but to protect him against the inheritance in the hands of an owner who has committed no fraud, is quite inconsistent with the true nature and doctrine

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of trusts. But it is still more inconsistent with *moral* equity; for what moral equity has C. against B. that should entitle him to take away B.'s estate?—which he in effect does, if he is permitted, by getting hold of a satisfied term, to keep him out of possession. The simple state of the case is, that B. has bought that which might justly be sold to him. C. has afterwards intended to buy, and believed he bought, but he has been cheated. How does the fact, that he has been cheated by A., give him any moral claim as against B.?

It is not easy to conceive how the doctrine ever found admission into a court of equity. It obviously confounds the equal innocence of two persons, in respect of their dealings with a third, with equal equity as between themselves—assuming that, because two purchasers have both paid their money to a person purporting to deal with an equitable estate, each has an equal right to call for the outstanding legal estate: thus treating the equitable estate as absolutely nothing, and overlooking the doctrine, both equitable and moral, that, if two persons contract with a third for an equity, the first in time stands first in right. It is true, in a sense, that there is, strictly speaking, no such thing as an equitable *estate*. The legal estate in the land is the only complete title to it, and absorbs the whole of what may strictly be called the estate in it; so that an equitable estate is a mere right to have the legal estate applied for the benefit of the equitable owner, and a conveyance of an equitable estate is in reality not a conveyance of anything, but a mere agreement, or assignment of an agreement, to give the legal estate. Nevertheless, equity has never treated equitable interests as nullities, but has, whether treating them as actual estates, or whether treating assurances of them as contracts, applied to them the usual rule of priority between several contracting parties; and it is inconceivable how, so dealing between them in regard to their equitable estate, equity could ever have suffered its respect for the legal estate so far to prevail, as to induce it to permit the person whose equitable title it holds second, if there were only equitable estates, to get and keep possession by means of a legal title, which, if the Court had carried out its own rule as to equitable rights, the first purchaser had the exclusive right to call for, for *his* protection.

Who can regret that the Legislature should have desired to sweep away such a system; and who can do otherwise than hope, that if, according to *Doe* d. *Clay* v. *Jones*, the Legislature has failed, it will, by some further enactment, put the matter beyond all doubt?

Court Papers.

EQUITY SITTINGS, MICHAELMAS TERM.

Court of Chancery.

Before the LORD CHANCELLOR, *at Lincoln's Inn.*

Friday	*Nov.* 2	Appeal Motions.
Saturday	3	(Petition-day).—Petitions & Appeals.
Monday	5	Appeals.
Tuesday	6	
Wednesday	7	
Thursday	8	Appeal Motions and Appeals.
Friday	9	(Petition-day).—Petitions (unopposed only) and Appeals.
Saturday	10	Appeals.
Monday	12	
Tuesday	13	
Wednesday	14	
Thursday	15	Appeal Motions and Appeals.
Friday	16	(Petition-day).—Petitions (unopposed only) and Appeals.
Saturday	17	Appeals.
Monday	19	
Tuesday	20	
Wednesday	21	
Thursday	22	Appeal Motions and Appeals.
Friday	23	(Petition-day).—Petitions (unopposed only) and Appeals.
Saturday	24	Appeals.
Monday	26	Appeal Motions and Appeals.

Vice-Chancellors' Courts.

Before the VICE-CHANCELLOR OF ENGLAND, *at Lincoln's Inn.*

Friday	*Nov.* 2	Motions.
Saturday	3	Petition-day.
Monday	5	Pleas, Demurrers, Exceptions, Cause and Further Directions.
Tuesday	6	
Wednesday	7	
Thursday	8	Motions.
Friday	9	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	10	Pleas, Demurrers, Exceptions, Cause and Further Directions.
Monday	12	
Tuesday	13	
Wednesday	14	
Thursday	15	Motions.
Friday	16	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	17	Pleas, Demurrers, Exceptions, Cause and Further Directions.
Monday	19	
Tuesday	20	
Wednesday	21	
Thursday	22	Motions.
Friday	23	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	24	Pleas, Demurrers, Exceptions, Causes and Further Directions.
Monday	26	Motions.

Before VICE-CHANCELLOR KNIGHT BRUCE, *at Lincoln's I*

Friday	*Nov.* 2	Motions.
Saturday	3	Bankrupt Petitions.
Monday	5	Pleas, Demurrers, Exceptions, Causes and Further Directions.
Tuesday	6	
Wednesday	7	Bankrupt Petitions and Causes.
Thursday	8	Motions.
Friday	9	(Petition-day).—Petitions and Causes.
Saturday	10	Short Causes and Causes.
Monday	12	Pleas, Demurrers, Exceptions, Causes and Further Directions.
Tuesday	13	
Wednesday	14	Bankrupt Petitions and Causes.
Thursday	15	Motions.
Friday	16	(Petition-day).—Petitions and Causes.
Saturday	17	Short Causes and Causes.
Monday	19	Pleas, Demurrers, Exceptions, Causes and Further Directions.
Tuesday	20	
Wednesday	21	Bankrupt Petitions.
Thursday	22	Motions.
Friday	23	(Petition-day).—Petitions and Causes.
Saturday	24	Short Causes and Causes.
Monday	26	Motions.

Before VICE-CHANCELLOR WIGRAM, *at Lincoln's Inn.*

Friday	*Nov.* 2	Motions and Causes.
Saturday	3	(Petition-day).—Petitions and Causes.
Monday	5	Pleas, Demurrers, Exceptions, Causes and Further Directions.
Tuesday	6	
Wednesday	7	

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Thursday	8	Motions and Ditto.
Friday	9	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	10	Short Causes, Petitions, (unopposed first), and Causes.
Monday	12	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	13	
Wednesday	14	
Thursday	15	Motions and Ditto.
Friday	16	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	17	Short Causes, Petitions, (unopposed first), and Causes.
Monday	19	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday	20	
Wednesday	21	
Thursday	22	Motions and Ditto.
Friday	23	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	24	Short Causes, Petitions, (unopposed first), and Causes.
Monday	26	Motions and Causes.

PUBLIC GENERAL STATUTES.

12 & 13 Victoriæ.—Session 2.

CAP. CVI.

(*Continued from p.* 397).

203. That at any time within six months after any certificate of conformity shall have been allowed, and subject to such order as to deposit of costs as may by any general rule or order to be made in pursuance of this act be directed, any creditor of the bankrupt, or any assignee, official or other, may apply to the Vice-Chancellor that such certificate may be recalled and delivered up to be cancelled; and the Vice-Chancellor may, on good cause shewn, order such certificate to be recalled and cancelled.

204. That no bankrupt, after his certificate shall have been allowed, shall be liable to pay or satisfy any debt, claim, or demand from which he shall have been discharged by virtue of such certificate, or any part of such debt, claim, or demand, upon any contract, promise, or agreement made after the issuing of the fiat or filing of the petition for adjudication of bankruptcy, and if any bankrupt be sued upon any such contract, promise, or agreement, he may plead the general issue, and give this act and the special matter in evidence.

205. That any bankrupt who shall, after his certificate shall have been allowed, be arrested, or have any action brought against him, for any debt, claim, or demand provable under his bankruptcy, shall be discharged upon entering an appearance, and may plead in general that the cause of action accrued before he became bankrupt, and may give this act and the special matter in evidence; and such bankrupt's certificate shall be sufficient evidence of the trading, bankruptcy, fiat, or petition for adjudication, and other proceedings precedent to the obtaining such certificate; and if any such bankrupt shall be taken in execution or detained in prison for such debt, claim, or demand, where judgment has been obtained before the allowance of his certificate, it shall be lawful for any judge of the court wherein judgment has been so obtained, on such bankrupt's producing his certificate, to order any officer who shall have such bankrupt in custody by virtue of such execution to discharge such bankrupt without exacting any fee, and such officer shall be hereby indemnified for so doing.

206. That no such certificate shall be delivered to the bankrupt until after the expiration of the time allowed for entering an appeal; and if an appeal be duly entered against the judgment of such court for the allowance of the certificate, or for the refusal, the withholding, or the class of the certificate, and notice thereof be given to the court in such manner as may by any general rule or order to be made in pursuance of this act be directed, the certificate shall be further kept by the court, and abide the judgment of the Vice-Chancellor thereupon; and upon any appeal duly entered and prosecuted relating to the certificate or to the judgment of the court as to any offence under this act charged against the bankrupt, the Vice-Chancellor shall have power to rescind or vary the order of the court below, or to make such other order thereon as he may think fit; and upon an order for the allowance of any certificate by the Vice-Chancellor, and whether with conditions or not, or after a suspension thereof by order of the Vice-Chancellor or not, such certificate may be allowed and signed by the court below, or by the Vice-Chancellor.

207. That the allowance of the certificate by the court, and any order for the refusal or suspension of the allowance thereof, except in case of appeal, shall be final and conclusive, and shall not be reviewed by the court, unless the court shall thereafter see good and sufficient cause to believe that the allowance of such certificate, or the refusal or suspension thereof, has been obtained on false evidence or by reason of an improper suppression of evidence, or has otherwise been fraudulently obtained, in any of which cases it shall and may be lawful for the court, upon the application of the bankrupt, or of any creditor of the bankrupt, and subject to such order as to deposit of a sum for costs, and to such notices to the bankrupt and to creditors, by advertisement or otherwise, as the court shall think fit, to grant a rehearing of the matter, and to rehear the same accordingly; and upon such rehearing the court shall make such order as to the allowance of the certificate, or the refusal or suspension thereof, as the justice of the case may require, in like manner, upon like conditions, and having regard to the like circumstances, so far as the case will admit, as upon an original hearing; and in case the certificate shall have been previously allowed, and upon such rehearing the allowance thereof shall not be confirmed, such certificate shall have no force or effect whatever, and the same shall be delivered up to the court and cancelled.

And with respect to estates tail and base fees, be it enacted,

208. That such of the clauses of an act passed in the 3 & 4 Will. 4, [c. 74], intituled "An Act for the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance," as are numbered respectively in the copies of that act printed by her Majesty's printers, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, shall extend and apply to proceedings in bankruptcy under a petition for adjudication of bankruptcy, as fully and effectually as if those clauses were re-enacted in this act, and expressly extended to such proceedings.

And with respect to copyholds, be it enacted,

209. That the court shall have power to sell, and by deed indented, and inrolled in the courts of the manor or manors whereof the lands respectively may be holden, to convey, for the benefit of the creditors, any copyhold or customaryhold lands, or any interest to which any bankrupt is entitled therein, and thereby to entitle or authorise any person or persons on behalf of the Court of Bankruptcy to surrender the same, for the purpose of any purchaser being admitted thereto.

210. That every person to whom any such conveyance of copyhold or customary lands or tenements, or of any such interest therein, shall be made, shall, before he enter into or take any profit of the same, agree and compound with the lords of the manors of whom the same shall be holden for such fines, dues, and other services as theretofore have been usually paid for the same, and thereupon the said lords shall, at the next or any subsequent court to be holden for the said manors, grant unto such vendee, upon request, the said copy or customary lands or tenements, for such estate or interest as shall have been so conveyed to him as aforesaid, reserving the ancient rents, customs, and services, and shall admit him tenant of the same.

And with respect to arrangements between debtors and their creditors under the superintendence and control of the court, be it enacted,

211. That any such trader unable to meet his engagements with his creditors, and desirous of laying the state of his affairs before them, under the superintendence and control of the Court of Bankruptcy, and of submitting himself to the jurisdiction of the court, in manner hereinafter mentioned, may present a petition to the court, setting forth the true cause of such inability, and praying that his person and property may be protected from all process until further order; and the court, on such petition, shall have power to grant such protection, and may renew the same from time to time as it shall think fit, and, if the petitioner be in prison or in custody for debt, may, except in the cases next hereinafter mentioned,

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order his immediate release, either absolutely or on condition, and may take bail for his attendance at the several sittings of the court hereinafter mentioned: provided always, that the court shall not order such release where it shall appear by any judgment, order, commitment, or sentence under which such petitioner is in prison or in custody, or by the record or entry of any such judgment, order, commitment, or sentence, and the pleadings or proceedings previously thereto, that he is in prison or in custody for any debt contracted by fraud or breach of trust, or by reason of any prosecution against him whereby he had been convicted of any offence, or for any debt contracted by reason of any judgment in any proceeding for breach of the revenue laws, or in any action for breach of promise of marriage, seduction, criminal conversation, libel, slander, assault, battery, malicious arrest, malicious trespass, maliciously suing out a fiat in bankruptcy, or maliciously filing or prosecuting a petition for adjudication of bankruptcy: provided also, that such release shall in nowise affect any rights of the creditor at whose suit such petitioner may be in prison or in custody against such petitioner, except the right of detaining him in prison or in custody, whilst protected from imprisonment by order of the court.

212. That every such petition shall be in the form contained in Schedule (A a.) to this act annexed, and be filed and prosecuted in the court within the district of which the petitioner shall have resided or carried on business for six months next immediately preceding the time of filing such petition, unless the senior commissioner shall order the same to be filed and prosecuted or further prosecuted in any other district, and which order he shall have power to make, and the date of filing every such petition shall be indorsed thereon, and there shall be filed therewith an affidavit in the form contained in Schedule (A b.) to this act annexed.

213. That, forthwith after the granting of any order for protection, the court shall appoint a private sitting to be held at such time and place as it may name, and shall at the same time appoint an official assignee to act in the matter of such petition, and upon sufficient cause shewn may, if it shall think fit, direct that the estate and effects of the petitioner, or any part thereof, shall be possessed and received by such official assignee, or be taken possession of by the messenger of the court; and all stock, monies, and other effects of the petitioner shall be transferred, delivered, and paid by the official assignee into the Bank of England, to the credit of the accountant in bankruptcy, to be subject to the like rule and regulation for the keeping the account of the said monies and other effects, and for the payment and delivery in, investment, and payment and delivery out of the same, as in bankruptcy, and the court shall have power to examine on oath such petitioner, or any witness produced by him, or any creditor or person claiming to be a creditor of such petitioner, and to adjourn such private sitting or any subsequent private sitting, from time to time, as it shall think fit; and notice of such private sitting shall be given in writing to every creditor not less than fourteen days before the same is held, such notice to be sent by post addressed to every creditor at his last known place of business or residence.

214. That such petitioning trader shall, ten days before the day appointed for the private sitting of the court, file in court, and in such form as may by any rule or order to be made in pursuance of this act be directed, a full account of his debts, and the consideration thereof, and the names, residences, and occupations of his creditors, and also a full account of his estate and effects, whether in possession, reversion, or expectancy, and of all debts and rights due to or claimed by him, and of all property, of what kind soever, held in trust for him, and shall therein set forth such proposal as he is able to make for the future payment or the compromise of such debts or engagements, and shall furnish the official assignee with a copy of such account.

215. That at the private sitting of the court appointed in manner hereinbefore mentioned, or at any adjournment thereof, the creditors shall prove their debts, (such proofs to be in all respects as proofs in bankruptcy), and the petitioning trader shall attend, and make oath of the truth of the account filed by him, and may be examined thereon; and if at such sitting, or at any adjournment thereof, three-fifths in number and value of the creditors who have proved debts to the amount of 10*l.* shall assent to the proposal of such petitioner, or to any modification thereof, the court shall appoint another private sitting for the confirmation of such proposal or modified proposal, and such second sitting shall be held not earlier than fourteen days from the first sitting, and notice thereof in writing shall be personally served on every creditor who was not present by himself or his appointed agent at such first sitting seven clear days at least before the day appointed for such second sitting: provided always, that the court, if it shall think fit, may make order in any special case that service of such notice at the last known place of abode or business of any creditor shall be deemed good service.

216. That at such second sitting, or at any adjournment thereof, the creditors may also prove their debts, and if three-fifths in number and value of those who have proved debts to the amount of 10*l.* shall agree to accept such proposal as was assented to at the first sitting, the terms thereof shall be reduced into writing, and the creditors shall sign the same; and such resolution or agreement (subject to such confirmation as is hereinafter mentioned) shall thenceforth be binding and of full force, as well against such petitioning trader as against all persons who were creditors at the date of his petition, and who had notice of the said several sittings of the court; and the court, if it shall think the same reasonable and proper to be executed, after hearing such creditors, by themselves, their counsel or attornies, as may desire to be heard either for or against such resolution or agreement, shall approve and confirm the same, and cause it to be filed and entered of record, and shall grant to the petitioner a certificate of the filing and entering of record of such approval and confirmation, and shall from time to time indorse on such certificate a protection from arrest; and such petitioner shall be free from arrest at the suit of any person being a creditor at the date of his petition, and having had such several notice or notices as aforesaid; and any officer arresting such petitioner at the suit of any such creditor, and on sight of such certificate and protection not releasing such petitioner, shall be liable to such penalty as is provided respecting bankrupts in the like case: provided, however, that no such protection shall be valid in favour of any such petitioner who shall be proved to have been about to abscond beyond the jurisdiction of the court, or who has concealed or is concealing any part of his estate or effects, nor against any creditor whose debt is not truly specified in the account filed by such petitioner, nor against any creditor whose debt has been contracted by such petitioner by any manner of fraud or breach of trust.

217. That any person duly authorised by letter of attorney from any creditor who has proved a debt to the amount of 10*l.* and upwards shall be entitled to vote on the question of assent or dissent to the proposal of such petitioning trader.

218. That from and after the date of the approval and confirmation of such resolution or agreement all the estate and effects of such petitioning trader shall vest in the official assignee, (if such shall be required by virtue of such resolution, and either alone or jointly with any person or persons, as may be expressed in such resolution), as fully as if such official assignee were an assignee under any bankruptcy; and every such official assignee may sue and be sued as if he were such assignee; and in the event of the death, resignation, or removal of any such official assignee, the court shall have power to appoint another; and if the estate and effects shall have vested in such official assignee, the same shall vest in the new official assignee so appointed, in the same manner as in bankruptcy.

219. That the official assignee shall once at least in every six months, or oftener if the court shall require it, produce to the court, on oath, a full and true account of all monies, property, and effects of such petitioning trader which have come to his hands, and of the disposal thereof; and the court shall examine the same, and shall certify the result of such examination, and, if need be, order payment to the creditors of such petitioner, according to the terms of the resolution or agreement, and may in such account make all just allowances, and may order payment to the official assignee of such sum as a remuneration for his services as shall appear to be just and reasonable.

220. That in case any difficulty shall arise in the execution of the said resolution or agreement, it shall be lawful for the court to cause a special sitting of the court to be held; and the resolution of the majority of the creditors at such sitting who have proved debts to the amount of 10*l.*, to confirm, alter, or annul the whole or any part of such resolution or agreement, shall be as valid as if it had been part of the original resolution or agreement: provided, however, that if

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one-third in number and value of the creditors of such petitioning trader do not attend such sitting, the resolution thereof shall not be valid unless the same is approved and confirmed by the court.

221. That so soon as the said resolution or agreement shall have been carried into effect, and the creditors of such petitioning trader shall have been satisfied, according to the tenor thereof, the court shall give to such petitioner a certificate under the hand and seal of the commissioner in the form contained in Schedule (A c.) to this act annexed, setting forth the filing of the petition, the resolution or agreement of the creditors, and that the said resolution or agreement has been fully carried into effect; and such certificate shall thenceforth operate to all intents and purposes as fully as if the same were a certificate of conformity under a bankruptcy, except only that any debt which shall have been contracted wholly or in part by reason of any manner of fraud or breach of trust, or without reasonable probability at the time of contract of being able to pay the same, or by reason of any judgment in any prosecution for breach of the revenue laws, or in any action for breach of promise of marriage, seduction, criminal conversation, libel, slander, assault, battery, malicious arrest, malicious trespass, maliciously suing out a fiat in bankruptcy, or maliciously filing or prosecuting a petition for adjudication of bankruptcy, shall not be barred by such certificate.

222. That the court, on being satisfied that the official assignee has fully performed his trust, shall give to him a certificate thereof in the form contained in Schedule (A d.) to this act annexed; and such certificate shall be a full release and acquittance to such official assignee, both in law and equity, for all matters done by him as such official assignee.

223. That if such petitioning trader shall not duly attend the sittings of the court, or if he shall not file his account in manner aforesaid within such extended time as may be allowed him by the court for such purpose, or if he shall fail to obey any order of the court which may be made in the matter of his petition, such petition shall be dismissed; and if at the first private sitting of the court, or at any adjournment thereof, the proposal of the petitioner, or some modification thereof, be not assented to, or if at any time after the filing of any petition for protection it shall be shewn to the satisfaction of the court, by any creditor, that the debts of such petitioner, or any part thereof, have been contracted by reason of any manner of fraud or breach of trust, or without reasonable probability at the time of contract of being able to pay the same, or by reason of any judgment in any prosecution for breach of the revenue laws, or in any action for breach of promise of marriage, seduction, criminal conversation, libel, slander, assault, battery, malicious arrest, malicious trespass, maliciously suing out a fiat in bankruptcy, or maliciously filing or prosecuting a petition for adjudication of bankruptcy, or if it shall be shewn that the affidavit filed with his petition was wilfully untrue, so far as concerned the assets ready to be produced by him, or that he has not made a full disclosure of his debts and credits, estate and effects, and is not desirous of making a bonâ fide arrangement with all his creditors, or that his proposal to that effect is not reasonable and proper to be executed under the direction of the court, or that he has postponed the presentation of his petition longer than was excusable, or if within three months of the time of presenting his petition he shall have assigned, transferred, or made away with any portion of his estate or effects otherwise than in due course, or shall have voluntarily done or suffered any act whereby his goods shall have been taken in execution, it shall be lawful for the court to adjudge such petitioner a bankrupt, and to adjourn all further proceedings in the matter into the public court, and to advertise such adjudication, and appoint sittings for choice of assignees and for last examination, as in bankruptcy; and such petitioner shall thenceforth be amenable to the jurisdiction of the court in the same manner as any other bankrupt, and any proposal which may have been made or assented to or confirmed shall be wholly and altogether void; and the court shall have power, at any time, on the application of any creditor, to appoint a private sitting for the purpose of such inquiry, and may summon before it such petitioning trader, or any other person, and examine him upon oath touching such matters; and every such summons and examination shall be enforced in such manner as summonses and examinations are enforced in matters of bankruptcy.

And with respect to arrangements by deed, be it enacted,

224. That every deed or memorandum of arrangement now or hereafter entered into between any such trader and his creditors, and signed by or on behalf of six-sevenths in number and value of those creditors whose debts amount to 10*l.* and upwards, touching such trader's liabilities, and his release therefrom, and the distribution, inspection, conduct, management, and mode of winding-up of his estate, or all or any of such matters, or any matters having reference thereto, shall (subject to the conditions hereinafter mentioned) be as effectual and obligatory in all respects upon all the creditors who shall not have signed such deed or memorandum of arrangement as if they had duly signed the same; and such deed or memorandum, when so signed, shall not be or be liable to be disturbed or impeached by reason of any prior or subsequent act of bankruptcy: provided always, that every creditor shall be accounted a creditor in value in respect of such amount only as, upon an account fairly stated, after allowing the value of mortgaged property and other such available securities or liens from such trader, shall appear to be the balance due to him.

225. That no such deed or memorandum of arrangement shall be effectual or obligatory upon any creditor who shall not have signed the same, until after the expiration of three months from the time at which such creditor shall have had notice from such trader of his suspension of payment, and of such deed or memorandum of arrangement, unless such trader shall within such time obtain from the court an order or certificate of the said court declaring or certifying that such deed or memorandum of arrangement has been duly signed by or on behalf of such majority of the creditors as aforesaid; and it shall be lawful for the court within the district of which the trader shall have resided or carried on business for six months next immediately preceding his suspension of payment to make such order or certificate on the petition of any such trader, and to exercise jurisdiction in and over the matters of any such application; and no creditor who shall not have had fourteen days' notice of any intended application for such order or certificate as aforesaid shall be bound thereby.

226. That when the trustee or inspector under any such deed or memorandum of arrangement, or, if there shall be no such trustee or inspector, when any two of the creditors, shall be satisfied that six-sevenths in number and value of the creditors whose debts amount to 10*l.* and upwards have signed such deed or memorandum, it shall be lawful for such trustee or inspector, or for such two creditors, as the case may be, to certify the same to the court in writing, and such certificate shall be filed with the registrar of the court, and shall thereupon be primâ facie evidence in all courts of law and equity that such deed or memorandum of arrangement has been so signed.

227. That every such certificate as last aforesaid shall have appended thereto a full account of the debts of such trader, together with the names, residences, and occupations of his creditors, and shall be accompanied by an affidavit by such trader verifying the same; and any omission in such account, or the insertion therein of any debt not really existing, or of any larger amount of debt than that really existing, and which shall appear to the court to have been made through the culpable negligence or fraud of such trader, with intent to defraud any of his creditors, shall deprive him of the benefit of the provisions of this act with respect to arrangements by deed, and of the discharge proposed in any such deed or memorandum of arrangement: provided always, that any omission, insertion, or incorrectness in such account, which shall not have been made through such culpable negligence or fraud as aforesaid, shall not defeat or otherwise affect such deed or memorandum of arrangement.

228. That the creditors of every such trader shall have the same rights respectively as to set-off, mutual credit, lien, and priority, and joint and separate assets shall be distributed, in like manner as in bankruptcy; and no creditor shall be prejudiced or affected by being a party to any such deed or memorandum of arrangement as aforesaid, or by the same being obligatory upon him as to his right or remedy against any person other than such trader; and every person who would be entitled to prove in bankruptcy shall be deemed a creditor within the meaning of the provisions of this act with respect to arrangements by deed.

229. That if any creditor of any trader shall be desirous to shew that the administration of the estate of such trader has

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not been duly conducted in conformity with such deed or memorandum of arrangement, it shall be lawful for him to apply to the court by petition, supported by affidavit, stating any facts or circumstances to shew that such administration has not been duly conducted, and thereupon the court shall have full power and it is hereby fully authorised to consider the subject-matter of such application, and if it shall think fit may direct any inquiry, and in such manner as it shall think proper, into the subject of such application, and generally may make such order and exercise such jurisdiction in or over the subject-matter of such application, and the costs thereof, as to the said court shall appear just.

And with respect to composition after adjudication of bankruptcy, be it enacted,

230. That any bankrupt, at any time after he shall have passed his last examination, may call a meeting of his creditors, (whereof, and of the purport whereof, twenty-one days' notice shall be given in the London Gazette), and if the bankrupt or his friends shall make an offer of composition, and nine-tenths in number and value of the creditors assembled at such meeting shall agree to accept the same, another meeting for the purpose of deciding upon such offer shall be appointed to be holden, whereof such notice shall be given as aforesaid, and if at such second meeting nine-tenths in number and value of the creditors then present shall also agree to accept such offer, the court shall and may, upon such acceptance being testified by them in writing, and upon payment of such sum as the court shall direct, annul the adjudication of bankruptcy, and supersede or dismiss the fiat or petition for adjudication, and every creditor of such bankrupt shall be bound to accept of such composition so agreed to.

231. That in deciding upon the offer of composition no creditor whose debt is below 20*l.* shall be reckoned in number, but the debt due to such creditor shall be computed in value; and every creditor to the amount of 50*l.* and upwards, residing out of England, shall be personally served with a copy of the notice of the meeting to decide upon such offer as aforesaid, and of the purpose for which the same is called, so long before such meeting as that he may have time to vote thereat, and such creditor shall be entitled to vote by letter of attorney, executed and attested in manner required for a creditor's voting in the choice of assignees; and if any creditor shall agree to accept any gratuity or higher composition for assenting to such offer, he shall forfeit the debt due to him, together with such gratuity or composition; and the bankrupt shall (if thereto required) make oath before the court that there has been no such transaction between him, or any person with his privity, and any of the creditors, and that he has not used any undue means or influence with any of them to attain such assent.

And with respect to evidence, be it enacted,

232. That the proper officer of the court in London and in the several districts in the country shall, on the reasonable request of any bankrupt or arranging debtor, or of any creditor of such bankrupt having proved his debt, or of an arranging debtor, when the debt of the arranging creditor has been admitted in the petition or proved, or on the like request of the attorney of any such bankrupt, debtor, or creditor, produce and shew to such bankrupt, debtor, creditor, or attorney, at such times as the court shall direct, every fiat, petition for adjudication of bankruptcy, adjudication of bankruptcy, and petition for arrangement, against or by such bankrupt, and all orders and proceedings under any such fiat, petition, or adjudication, and the court shall order the official assignee or officer of the court, as the case may be, to permit such bankrupt, debtor, creditor, or attorney to have inspection at all reasonable times of all books, papers, and writings relating to the matters of such fiat, petition, or adjudication, and the estate of the bankrupt or debtor in the possession of the assignees, or filed in court in such matter, and permit him to inspect and examine the same; and such official assignee or such officer shall provide, for any such bankrupt, debtor, creditor, or attorney requiring the same, an office copy of such fiat, petition, or other proceeding, books, papers, and writings as aforesaid, or of such part thereof as shall be required, receiving such fee or sum or rate of charge as may be authorised in that behalf.

233. That if the bankrupt shall not, (if he were within the United Kingdom at the date of the adjudication), within twenty-one days after the advertisement of the bankruptcy in the London Gazette, or (if he were in any other part of Europe at the date of the adjudication) within three months after such advertisement, or (if he were elsewhere at the date of the adjudication) within twelve months after such advertisement, have commenced an action, suit, or other proceeding to dispute or annul the fiat, or the petition for adjudication, and shall not have prosecuted the same with due diligence and with effect, the Gazette containing such advertisement shall be conclusive evidence in all cases as against such bankrupt, and in all actions at law or suits in equity brought by the assignees for any debt or demand for which such bankrupt might have sustained any action or suit had he not been adjudged bankrupt, that such person so adjudged bankrupt became a bankrupt before the date and suing forth of such fiat, or before the date and filing of the petition for adjudication, and that such fiat was sued forth, or such petition filed, on the day on which the same is stated in the Gazette to bear date.

234. That in any action, other than an action brought by the assignees for any debt or demand for which the bankrupt might have sustained an action had he not been adjudged bankrupt, and whether at the suit of or against the assignees, or against any person acting under the warrant of the court, for anything done under such warrant, no proof shall be required, at the trial, of the petitioning creditor's debt, or of the trading or act of bankruptcy respectively, unless the other party in such action shall, if defendant at or before pleading, and if plaintiff before issue joined, give notice in writing to such assignees or other person that he intends to dispute some and which of such matters; and in case such notice shall have been given, if such assignees or other person shall prove the matter so disputed, or the other party admit the same, the judge before whom the cause shall be tried may (if he think fit) grant a certificate of such proof or admission; and such assignees or other person shall be entitled to the costs occasioned by such notice; and such costs shall, if such assignees or other person shall obtain a verdict, be added to the costs, and if the other party shall obtain a verdict shall be deducted from the costs, which such other party would otherwise be entitled to receive from such assignees or other person.

235. That in all suits in equity, other than a suit brought by the assignees for any debt or demand for which the bankrupt might have sustained a suit in equity had he not been adjudged bankrupt, and whether at the suit of or against the assignees, no proof shall be required, at the hearing, of the petitioning creditor's debt, or of the trading or act of bankruptcy respectively, as against any of the parties in such suit, except such parties as shall within ten days after rejoinder give notice in writing to the assignees of their intention to dispute some and which of such matters; and where such notice shall have been given, if the assignees shall prove the matter so disputed, the costs occasioned by such notice shall, if the court see fit, be paid by the parties so giving such notice, and the service of such notice may be proved by affidavit upon the hearing of the cause.

236. That any fiat, petition for adjudication of bankruptcy, adjudication of bankruptcy, petition for arrangement between a debtor and his creditors, assignment, appointment of assignees, certificate, deposition, or other proceeding or order in bankruptcy, or under any such petition for arrangement, appearing to be sealed with the seal of the court, or any writing purporting to be a copy of any such document, and purporting to be so sealed, shall at all times, and on behalf of all persons, and whether for the purposes of this act or otherwise, be admitted in all courts whatever as evidence of such documents respectively, and of such proceedings and orders having respectively taken place or been made, and be deemed respectively records of the court, without any further proof thereof, and no such document or copy shall be receivable in evidence unless the same appear to be so sealed, except where otherwise in this act specially provided: provided always, that all fiats and proceedings under the same which may have been entered of record before the passing of the act passed in the Parliament holden in the 2 & 3 Will. 4, [c. 114], intituled "An Act to amend the Laws relating to Bankrupts," or purporting to have been sealed before the commencement of this act with the seal of the Court of Bankruptcy theretofore in use, or a writing purporting to be a copy of any such document, and purporting to have been so sealed, shall and may, upon the production thereof, and in the case of any fiat or proceedings entered of record before the passing of the last-mentioned act, with the certificate thereon, purporting to be signed by the person duly authorised to enter proceedings in bankruptcy, or by his deputy, be received as

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evidence of the same, and of the same having been duly entered of record, and of such proceedings having respectively taken place, anything hereinbefore contained notwithstanding.

237. That all courts, judges, justices, and persons judicially acting, and other officers, shall take judicial notice of the signature of any commissioner or registrar of the court, and of the seal of the court, subscribed or attached to any judicial or official proceeding or document to be made or signed under the provisions of this act.

238. That a copy of a declaration of insolvency under this act, purporting to be certified by the Lord Chancellor's Secretary of Bankrupts or any of his clerks as a true copy, shall be received as evidence of such declaration having been filed.

239. That a copy of any petition filed in the Court for the Relief of Insolvent Debtors in England, or in any court for relief of insolvent debtors at Calcutta, Madras, or Bombay, or at the settlement of Prince of Wales Island, Singapore, and Malacca, and of any vesting order, schedule, order of adjudication, and other orders and proceedings, purporting to be signed by the officer in whose custody the same shall be, or his deputy, certifying the same to be a true copy of such petition, vesting order, schedule, order of adjudication, or other order or proceedings, and appearing to be sealed with the seal of such court, shall at all times be admitted under this act as sufficient evidence of the same, and of such proceedings respectively having taken place, without any other proof whatever given of the same.

240. That a copy of the London Gazette and of any newspaper containing any such advertisement as is by this act directed or authorised to be made therein respectively shall be evidence of any matter therein contained, and of which notice is by this act directed or authorised to be given by such advertisement; and all proceedings or notices required by this act to be inserted in the London Gazette shall be marked with the seal of the court from which such proceedings or notices shall be issued and certified by one of the registrars of the said court.

241. That the provisions of an act passed in the Parliament holden in the 6 & 7 Vict. [c. 85], intituled "An Act for improving the Law of Evidence," shall be applicable to any matter or proceeding in prosecution under the provisions of this act, and to any matter, question, or inquiry arising in any court of law or equity out of, or consequent upon, any such matter or proceeding.

242. That in the event of the death of any witness deposing to the petitioning creditor's debt, trading, or act of bankruptcy, under any bankruptcy heretofore or hereafter, or under any petition for arrangement, the deposition of any such deceased witness, purporting to be sealed with the seal of the court, or a copy thereof purporting to be so sealed, shall in all cases be received as evidence of the matters therein respectively contained.

243. That all affidavits to be made or used in matters of bankruptcy, or in any matter or proceeding whatever under this act, shall and may be sworn before the court, or any commissioner, registrar, or master thereof, or before a master in ordinary or extraordinary of the High Court of Chancery, or before any clerk of affidavits, assistant clerk, or second assistant clerk of affidavits of the High Court of Chancery, or in Scotland or Ireland before such master extraordinary aforesaid, or before a magistrate of the county, city, town, or place where any such affidavit shall be sworn, or elsewhere before a magistrate and attested by a notary, or before a British minister, consul, or vice-consul.

244. That any affidavit of any prisoner in any of her Majesty's prisons or gaols in England, to be used in any matter under this act, may be sworn before the visiting or other justice, or if within twelve hours none such shall attend, then before the principal keeper or gaoler of such prisons or gaols, and every such keeper or gaoler is hereby authorised and required to administer the oath upon any such affidavit.

245. That the Lord Chancellor or the Vice-Chancellor, or the Court of Bankruptcy or any commissioner thereof, may, in all matters within their respective jurisdictions, take the whole or any part of the evidence either vivâ voce on oath, or by interrogatories in writing, or upon affidavit.

246. That all persons who are now, or shall hereafter be, declared bankrupts under any fiat or petition for adjudication of bankruptcy, and the wives of such persons respectively, shall and may be examined before the court, after making and signing the declaration contained in the schedule to this act annexed, without being sworn on oath.

And with respect to solicitors, be it enacted,

247. That every solicitor of the High Court of Chancery heretofore or hereafter duly admitted as a solicitor of the Court of Bankruptcy in manner directed by the statute passed in the Parliament holden in the 6 & 7 Vict. [c. 73], intituled "An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales," and subject to the provisions in the same act, may appear and plead in any proceedings in the court, without being required to employ counsel; and in case any person, not being such solicitor, shall practise in the court as a solicitor, he shall be deemed guilty of a contempt of court, and be liable to all the penalties incident thereto.

And with respect to costs, be it enacted,

248. That the provisions in an act passed in the session of Parliament holden in the 1 & 2 Vict. [c. 110], and intituled "An Act for abolishing Arrest on Mesne Process in Civil Actions except in certain cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in England," so far as the same relate to orders of the Lord Chancellor, or of the Court of Review therein referred to, in matters of bankruptcy, and the powers given by the same act to the Lord Chancellor and the said Court of Review in matters of bankruptcy, shall extend to, and be applicable to, orders of the Lord Chancellor and of the Vice-Chancellor in matters of bankruptcy under this act.

249. That the court may in all matters before it award such costs as to such court shall seem fit and just; and in all cases in which costs shall be so awarded against any person it shall and may be lawful for such court to cause such costs to be recovered from such person in the same manner as costs awarded by a rule of any of the superior courts at Westminster may be recovered, and that the like remedies may be had upon an order of such court for costs as upon a rule of any of the said superior courts for costs.

250. That every person summoned to attend before the court as a person known or suspected to have any of the estate of the bankrupt in his possession, or who is supposed to be indebted to the bankrupt, shall have such costs and charges as the court in its discretion shall think fit; and every witness summoned to attend before the court shall have his necessary expenses tendered to him in like manner as is now by law required upon service of a subpœna to a witness in an action at law.

And with respect to offences against the law relating to bankruptcy and other matters in this act, be it enacted,

251. That if any person adjudged bankrupt shall not upon the day limited for his surrender, and before three of the clock of such day, or at the hour and upon the day allowed him for finishing his examination, after notice thereof in writing to be served upon him personally or left at the usual or last known place of abode or business of such person, or personal notice in case such person be then in prison, and notice given in the London Gazette of the issuing of the fiat or filing of the petition for adjudication of bankruptcy against him, as the case may be, and of the sittings of the court, (having no lawful impediment proved to the satisfaction of the court at such time, and allowed by the court by a memorandum thereof then made on the proceeding), surrender himself to such court, and sign or subscribe such surrender, and submit to be examined before such court from time to time; or if any such bankrupt, upon such examination, shall not discover all his real and personal estate, and how, and to whom, upon what consideration, and when he disposed of, assigned, or transferred any of such estate, (and all books, papers, and writings relating thereunto, except such part as shall have been really and bonâ fide before sold or disposed of in the way of his trade, or laid out in the ordinary expense of his family); or if any such bankrupt, upon such examination, shall not deliver up to such court all such part of such estate, and all books, papers, and writings relating thereunto, as shall be in his possession, custody, or power, (except the necessary wearing apparel of himself, his wife and children); or if any such bankrupt shall remove, conceal, or embezzle any part of such estate to the value of 10*l.* or upwards, or any books of account, papers, or writings relating thereto, with intent to defraud his creditors; every such bankrupt shall

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be deemed guilty of felony, and be liable to transportation for life, or for such term not less than seven years as the court before which he shall be convicted shall adjudge, or shall be liable to imprisonment, with or without hard labour, for any term not exceeding seven years.

252. That if any bankrupt shall, after an act of bankruptcy committed, or in contemplation of bankruptcy, or with intent to defeat the object of the law relating to bankrupts, destroy, alter, mutilate, or falsify any of his books, papers, writings, or securities, or make or be privy to the making of any false or fraudulent entry in any book of account or other document, with intent to defraud his creditors, every such bankrupt shall be deemed guilty of a misdemeanour, and on conviction be liable to imprisonment for any term not exceeding three years, with or without hard labour.

253. That if any bankrupt shall, within three months next preceding the date of the fiat or the filing of the petition for adjudication of bankruptcy, under the false colour and pretence of carrying on business and dealing in the ordinary course of trade, obtain on credit from any other person any goods or chattels with intent to defraud the owner thereof, or if any bankrupt shall within such time and with such intent remove, conceal, or dispose of any goods or chattels so obtained, knowing them to have been so obtained, every such bankrupt shall be deemed guilty of a misdemeanour, and on conviction be liable to imprisonment for any term not exceeding two years, with or without hard labour.

254. That any bankrupt or bankrupt's wife who shall, upon any examination upon affirmation, or after making and signing the declaration authorised or directed by this or any other act relating to bankrupts, and any person who shall upon any examination upon oath or affirmation, or in any affidavit or deposition or solemn affirmation so authorised or directed, or in any affidavit or deposition or solemn affirmation wilfully and corruptly give false evidence, or wilfully and corruptly swear or affirm anything which shall be false, being convicted thereof, shall be liable to the penalties of wilful and corrupt perjury.

255. That if any bankrupt shall be suspected of or charged with the commission of any of the offences hereinbefore specified, the court may direct the assignees to institute and carry on a prosecution of such bankrupt for such offence, and to order that the costs and expenses to be incurred in such prosecution shall be paid out of his estate and effects, or if there be no such estate and effects, then out of the monies standing in the Bank of England to the credit of the account intituled "The Chief Registrar's Account," and such assignees shall thereupon institute and carry on such prosecution accordingly; and in case the said assignees shall refuse or neglect to institute and carry on such prosecution, no reasonable impediment being made known to and allowed by the court, the court may order the same to be instituted and carried on either by the official assignee alone, or by the creditors making such request, as the court may think fit.

256. That if at the sitting appointed for the last examination of any bankrupt, or at any adjournment thereof, it shall appear to the court that the bankrupt has committed any of the offences hereinafter enumerated, the court shall refuse to grant the bankrupt any further protection from arrest; and if at any sitting or adjourned sitting for the allowance of the certificate of any bankrupt it shall appear that he has committed any of such offences, the court shall refuse to grant such certificate, or shall suspend the same for such time as it shall think fit, and shall in like manner refuse to grant the bankrupt any further protection.

Offences referred to:—

First.—If the bankrupt shall at any time after the issuing of the fiat or filing of the petition for adjudication of bankruptcy, or within two months next preceding the issuing of such fiat or the filing of such petition, with intent to conceal the state of his affairs, or to defeat the objects of the law of bankruptcy, have destroyed any book, paper, deed, writing, or other document relating to his trade, dealings, or estate.

Second.—If the bankrupt shall, with the like intent, have kept or caused to be kept false books, or have made false entries in, or withheld entries from, or wilfully altered or falsified, any book, paper, deed, writing, or other document relating to his trade, dealings, or estate.

Third.—If the bankrupt shall have contracted any of his debts by any manner of fraud or by means of false pretences, or shall by any manner of fraud or by means of false pretences have obtained the forbearance of any of his debts by any of his creditors.

Fourth.—If the bankrupt shall, at any time within two months next preceding the issuing of the fiat or the filing of the petition for adjudication of bankruptcy, fraudulently, in contemplation of bankruptcy, and not under pressure from any of his creditors, with intent to diminish the sum to be divided among his creditors, or to give an undue preference to any of his creditors, have paid or satisfied any such creditor, wholly or in part, or have made away with, mortgaged, or charged any part of his property, of what kind soever.

Fifth.—If the bankrupt shall at any time after the issuing of the fiat or the filing of the petition for adjudication of bankruptcy, and with intent to diminish the sum to be divided among his creditors, or to give an undue preference to any of his creditors, have concealed from the court or his assignees any debt due to or from him, or have concealed or made away with any part of his property, of what kind soever.

Sixth.—If the bankrupt shall under his bankruptcy, or at any meeting of his creditors within three months next preceding the issuing of the fiat or the filing of the petition for adjudication of bankruptcy, have attempted to account for any of his property by fictitious losses or expenses.

Seventh.—If the bankrupt shall, within six months next preceding the issuing of the fiat or the filing of the petition for adjudication of bankruptcy, have put any of his creditors to any unnecessary expense by any vexatious and frivolous defence or delay to any suit for the recovery of any debt or demand provable under his bankruptcy, or shall be indebted in costs incurred in any action or suit so vexatiously brought or defended.

Eighth.—If the bankrupt shall, at any time after the issuing of the fiat or the filing of the petition for adjudication of bankruptcy, have wilfully prevented or withheld the production of any book, paper, deed, writing, or other document relating to his trade, dealings, or estate.

Ninth.—If the bankrupt shall during his trading have wilfully, and with intent to conceal the true state of his affairs, have omitted to keep proper books of account; or shall wilfully, and with intent to conceal the true state of his affairs, have kept his books imperfectly, carelessly, and negligently.

257. That the assignees for the time being of the estate and effects of any bankrupt, when the accounts relating to his estate shall have become records of the court, shall be deemed judgment creditors of such bankrupt for the total amount of the debts which shall by such accounts appear to be due from him to his creditors; and every creditor of any bankrupt, immediately after the proof of his debt shall have been admitted, shall be deemed a judgment creditor of such bankrupt to the extent of such proof; and the court, when it shall have refused to grant the bankrupt any further protection, or shall have refused or suspended his certificate, shall, on the application of such assignees or of any such creditor, grant a certificate under the seal of the court, in the form contained in Schedule (B a.) to this act annexed, and every such certificate shall have the effect of a judgment entered up in one of her Majesty's superior courts of common law at Westminster until the allowance of the certificate of conformity of such bankrupt; and the assignees or the creditor to whom, according to such certificate, the bankrupt shall be indebted as therein mentioned, shall be thereupon entitled to issue and enforce a writ of execution against the body of such bankrupt; and the production of any such certificate to the proper officer of any such superior court shall be sufficient authority to him to issue and seal such writ, and it shall be lawful for such superior courts to make such orders and rules in that behalf as to them shall seem fit: provided always, that every such last-mentioned certificate shall be deemed to have been cancelled and discharged by the allowance of the certificate of conformity of such bankrupt from the time of such allowance: provided also, that no execution by virtue of any certificate which shall be granted to

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any creditor or assignees as aforesaid shall be issued, nor shall any such certificate or execution in any manner affect any estate or effects which shall come to or be acquired by the bankrupt, after the allowance of his certificate of conformity.

258. That the assignees for the time being may issue and enforce execution upon any such certificate as last aforesaid, as fully, to all intents and purposes, as the assignees to whom such certificate shall have been originally granted.

259. That if any bankrupt shall be taken in execution after the refusal of protection, or after the refusal or suspension of his certificate, he shall not be discharged from such execution until he shall have been in prison for the full period of one year, except by order of the court: provided always, that this enactment shall not take effect until after the expiration of six months from the commencement of this act, and then only against such persons as shall have been adjudged bankrupt under this act, and for offences committed after the commencement of this act.

260. That if any bankrupt, or the wife of any bankrupt, shall refuse to make and sign the declaration contained in Schedule (W.) to this act annexed, or if any other person shall refuse to be sworn, or shall refuse to answer any lawful question put by the court, or shall not fully answer any such question to the satisfaction of the court, or shall refuse to sign and subscribe his examination when reduced into writing, (not having any lawful objection allowed by the court), or shall not produce any books, papers, deeds, and writings, or other documents in his custody or power, relating to any of the matters under inquiry, which such bankrupt, wife of the bankrupt, or person is required by the court to produce, and to the production of which he shall not state any objection allowed by the court, it shall be lawful for the court, by warrant, to commit such bankrupt, wife of such bankrupt, or other person, in London to the Queen's Prison, or in the country to such prison as such court shall think fit, (as the case may be in London or in any district in the country), there to remain without bail until he shall submit himself to such court to be sworn, and full answers make to the satisfaction of such court to all such lawful questions as shall be put by the court, and sign and subscribe such examination, and produce such books, papers, deeds, writings, and other documents in his custody or power, to the production of which no such objection as aforesaid has been allowed.

261. That if any person be committed by the court for refusing to answer, or for not fully answering, any question put to him by the court, such court shall in its warrant of commitment specify every such question: provided that if any person so committed shall bring any habeas corpus in order to be discharged from such commitment, and there shall appear on the return of such habeas corpus any such insufficiency in the form of the warrant whereby such person was committed, by reason whereof he might be discharged, it shall be lawful for the court or judge before whom such person shall be brought by habeas corpus, and such court or judge is hereby required, to commit such person to the same prison, there to remain until he shall conform, unless it shall be shewn to such court or judge by the person committed that he has fully answered all lawful questions put to him by the court; or if such person was committed for refusing to be sworn, or for not signing his examination, unless it shall appear to such court or judge that he had a sufficient reason for the same: provided also, that such court or judge shall, if required thereto by the person committed, in case the whole of the examination of the person so committed shall not have been stated in the warrant of commitment, inspect and consider the whole of the examination of such person whereof any such question was a part; and if it shall appear from the whole examination that the answer or answers of the person committed is or are satisfactory, such court or judge shall and may order the person so committed to be discharged.

262. That if it shall at any time be made to appear to the court that any assignee under any fiat issued on or at any time prior to the 11th day of November, 1842, has, either in his own hands or in the hands of any attorney or at any bankers, or otherwise subject to his order or disposition, or knows that there is or are in the hands or subject to the order and disposition of himself or any co-assignee, any unclaimed dividends or any undivided surplus, and that such assignee has not caused a certificate thereof to be filed as in this act above required, containing a full and true account of the names of the creditors to whom such unclaimed dividends are due, and of the amount of such dividends, and, as to any undivided surplus, caused a certificate stating the full and true amount of such surplus to be filed, and has not, as in this act above required, paid over to the account intituled "The Unclaimed Dividend Account" the amount of such unclaimed dividends, or so much thereof as shall not have been paid to the creditors or other persons entitled thereto, and also the amount of such undivided surplus, every such assignee shall be charged, in account with the estate of the bankrupt, with interest upon the amount of such unclaimed dividends or undivided surplus at the rate of 5*l.* per centum per annum, to be computed from the time at which such certificate is required to be filed, for such time as he shall thenceforth, either solely or together with any co-assignee or other person, retain such dividends or undivided surplus, as the case may be, and also with such further sum as the court shall direct, not exceeding in the whole at the rate of 20*l.* per centum per annum, to be computed from the time aforesaid; and it shall be lawful for the court to order that such sum or sums be forthwith paid into the Bank of England to the credit of the accountant in bankruptcy, to the account intituled "The Unclaimed Dividend Account," and also to make such order as to costs as the justice of the case shall seem to require.

263. That the neglect of any official assignee o file a certificate, as required by this act, of all unclaimed dividends and undivided surplus belonging to any bankrupt's estate under hi care and management, shall be subject to the provisions hereinbefore contained with respect to the unclaimed dividends and undivided surplus therein mentioned, and as if such officia assignee had such dividends and undivided surplus in his own hands.

264. That such last-mentioned unclaimed dividends and undivided surplus, and any penalty payable by any official assignee in respect thereof, shall be paid into the Bank of England, or carried to the credit of the accountant in bankruptcy, to the said account intituled "The Unclaimed Dividend Account."

265. That if any assignee shall retain in his hands or employ for his own benefit, or knowingly permit any co-assignee so to retain or employ, any sum to the amount of more than 100*l.*, part of the estate of any bankrupt, or shall neglect to invest any money in the purchase of Exchequer bills when directed by the court, every such assignee shall be liable to be charged in his account with such sum as shall be equal to interest at the rate of 20*l.* per centum per annum on all such money for the time during which he shall have so retained or employed the same, or permitted the same to be so retained or employed, or during which he shall so have neglected to invest the same in the purchase of Exchequer bills; and the court is hereby required to charge every such assignee in his account accordingly.

266. That if any person shall disobey any rule or order of the court duly made by such court for enforcing any of the purposes and provisions of this act, or of any other act hereafter to be in force relating to the subject-matters of this act, or made or entered into by consent of such person for carrying into effect any of such purposes or provisions, the court may, by warrant in the form contained in Schedule (B b.) to this act annexed, commit the person so offending to the Queen's Prison, or to the common gaol of any county, city, or place where he shall be found, or where he shall usually reside, there to remain without bail or mainprize until such court, or the Vice-Chancellor or the Lord Chancellor, shall make order to the contrary.

267. That if the debt stated by the petitioning creditor in his affidavit or in his petition for adjudication, and verified by affidavit, to be due to him from any trader, shall not be really due, or if after a fiat issued, or petition for adjudication of bankruptcy filed, it shall not have been proved that the person against whom such fiat has been issued or petition filed had committed an act of bankruptcy, and was a trader at the time of the issuing of the fiat or filing of such petition, and it shall also appear that such fiat was issued, or that such petition was filed, fraudulently or maliciously, the court shall and may, upon petition of the person against whom any such fiat or petition was so issued or filed, examine into the same, and order satisfaction to be made to him for the damages by him sustained.

268. That if any petitioning creditor shall after the bank-

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ruptcy receive any money, satisfaction, or security for his debt, or any part thereof, whereby such petitioning creditor may receive more in the pound in respect of his debts than the other creditors, such petitioning creditor shall forfeit his whole debt, and shall also repay or deliver up such money, satisfaction, or security, or the full value thereof, to the assignee or assignees of such bankrupt, for the benefit of the creditors of the bankrupt.

269. That any person who shall wilfully conceal any real or personal estate of the bankrupt, and who shall not, within forty-two days after the issuing of the fiat or the filing of the petition for adjudication of bankruptcy, discover such estate to the court or to the assignees, shall forfeit the sum of 100*l.*, and double the value of the estate so concealed; and any person who shall after such time voluntarily discover to the court or to the assignees any part of such bankrupt's estate not before come to the knowledge of the assignees shall be allowed 5*l.* per centum thereupon, and such further reward as the assignees, with the consent of the court, shall think fit, to be paid out of the estate recovered on such discovery.

270. That if any creditor of a bankrupt shall obtain any sum of money, or any goods, chattels, or security for money, from any person, as an inducement for forbearing to oppose or for consenting to the allowance of the certificate of such bankrupt, or to forbear to petition for the recall of the same, every such creditor so offending shall forfeit and lose for every such offence the treble value or amount of such money, goods, chattels, or security so obtained (as the case may be).

271. That if any commissioner, registrar, accountant, master, clerk, messenger, assignee, or any other officer or person whatsoever, shall, for anything done or pretended to be done under this act or any other act relating to bankrupts, or under colour of doing anything under this act or any such other act, fraudulently and wilfully demand or take, or appoint or allow any person whatsoever to take, for him or on his account, or for or on account of any person by him named, or in trust for him or for any other person by him named, any fee, emolument, gratuity, sum of money, or anything of value whatsoever, other than is allowed by this act or any such other act as aforesaid, such person, when duly convicted thereof, shall forfeit and pay the sum of 500*l.*, and be rendered incapable, and is hereby rendered incapable, of holding any office or place under her Majesty.

272. That any person who shall insert or cause to be inserted in the London Gazette, or in any newspaper, any advertisement under this act, without authority, or knowing the same to be false in any material particular, shall be guilty of a misdemeanour.

273. That if any person shall forge the signature of any commissioner, or registrar, or of the accountant, master, or other officer of the court, or shall forge or counterfeit the seal of the court, or knowingly concur in using any such forged or counterfeit signature or seal, for the purpose of authenticating any such proceeding or document, or shall tender in evidence any such proceeding or document with a false or counterfeit signature of any such commissioner, registrar, accountant, master, or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing the same signature or seal to be false or counterfeit, every such person shall be guilty of felony, and shall be liable to the same punishment as any offender under an act passed in the Parliament holden in the 8 & 9 Vict., intituled "An Act to facilitate the Admission in Evidence of certain official and other Documents."

274. That if any keeper of any prison or any gaoler to whose custody any bankrupt or other person shall be duly committed shall refuse to receive such bankrupt or other person, or shall suffer him to escape, every such keeper or gaoler shall forfeit 500*l.*

275. That all sums of money forfeited under this act, or by virtue of any conviction for perjury committed in any oath, affirmation, or declaration thereby directed or authorised, may be sued for by the assignees of the estate and effects of any bankrupt connected therewith or interested therein, in any of her Majesty's superior courts of record, and the money so recovered (the charges of suit being deducted) shall be paid over to the Bank of England, to the credit of the accountant in bankruptcy, to the account intituled "The Chief Registrar's Account."

And with respect to the definition and explanation of terms, be it enacted,

276. That the terms and words hereinafter enumerated or explained, wheresoever occurring in this act, shall be understood as hereinafter defined or explained, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such definition or explanation; that is to say,

The term "Lord Chancellor" shall mean also and include the Lord Keeper and Lords Commissioners for the custody of the Great Seal of the United Kingdom for the time being.

The term "Vice-Chancellor" shall mean such one of the Vice-Chancellors of the High Court of Chancery as shall for the time being have duly vested in him jurisdiction in bankruptcy.

The term "the court" and the term "the Court of Bankruptcy" shall mean her Majesty's Court of Bankruptcy, and shall mean also and include any commissioner or commissioners of her Majesty's Court of Bankruptcy constituting and acting as a court under this act.

The term "the senior commissioner" shall mean the senior commissioner of the court acting in London, which seniority shall be determined by the date of the letters-patent or commission under which the commissioners of the court acting in London were or shall be appointed, and in the event of such letters-patent or commission bearing the same date, then by the place and precedence of such commissioners at the bar.

The terms "fiat" and "fiat in bankruptcy" shall mean also and include any commission of bankrupt.

The term "annulling" shall mean also and include "superseding."

The term "month" shall mean a calendar month.

The term "assignees" shall mean the assignees of the estate and effects of the bankrupt.

The term "oath" shall be deemed to include the declaration or affirmation of any person authorised by law to declare or affirm.

The term "Bank of England" shall include all branches thereof.

Words importing the singular number or the masculine gender only shall be understood to include several matters as well as one matter, and several persons as well as one person, and bodies corporate as well as individuals, and females as well as males; and words importing the plural number shall be understood to apply to one matter as well as more than one, and to one person as well as more than one.

And in all cases in which any particular number of days is prescribed by this act, or shall be mentioned in any rule or order of court which shall at any time be made under this act, for the doing of any act, or for any other purpose, the same shall be reckoned, in the absence of any expression to the contrary, exclusive of the first and inclusive of the last day, unless the last day shall happen to fall on a Sunday, Christmas-day, Good Friday, Monday or Tuesday in Easter week, or a day appointed for a public fast or thanksgiving, in which case the time shall be reckoned exclusive of that day also.

277. That this act shall extend to aliens and denizens, both to make them subject thereto and to entitle them to all the benefits given thereby.

278. That this act may be amended or repealed by any act to be passed in the present session of Parliament.

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SCHEDULES REFERRED TO IN THE FOREGOING ACT.

SCHEDULE (A.)

Acts and Parts of Acts repealed.

Date of Act.	*Title.*	*Extent of Repeal.*
6 Geo. 4, c. 16	An Act to amend the Laws relating to Bankrupts.	The whole.
1 & 2 Will. 4, c. 56..	An Act to establish a Court of Bankruptcy.	The whole, except as hereinbefore in the Bankrupt Law Consolidation Act, 1849, is excepted, and except so far as relates to the appointment, tenure of office, and removal of commissioners, registrars, deputy registrars, and official assignees of the Court of Bankruptcy, and except so far as the act prohibits such commissioners, registrars, and deputy registrars from practising as a barrister, or being an attorney or solicitor, or renders such commissioners, registrars, deputy registrars, official assignees, and the Lord Chancellor's secretary of bankrupts, incapable of being elected or sitting as a member of the House of Commons, and except so far as relates to the grant of compensations to officers and persons whose offices, places, fees, or emoluments were discontinued and abolished.
3 & 4 Will. 4, c. 47..	An Act to authorise his Majesty to give further Powers to the Judges of the Court of Bankruptcy, and to direct the Times of Sitting of the Judges and Commissioners of the said Court.	The whole.
1 & 2 Vict. c. 110 ..	An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in England.	So far as relates to the manner of making bankrupt any trader within the meaning of the laws then in force respecting bankrupts, upon the filing of an affidavit or affidavits of debt or debts in the Court of Bankruptcy, and after notice in writing requiring immediate payment of such debt or debts.
2 Vict. c. 11	An Act for the better Protection of Purchasers against Judgments, Crown Debts, Lis Pendens, and Fiats in Bankruptcy.	So far as relates to the protection of purchasers against secret acts of bankruptcy and fiats in bankruptcy.
2 & 3 Vict. c. 29....	An Act for the better Protection of Parties dealing with Persons liable to the Bankrupt Laws.	The whole.
5 & 6 Vict. c. 122 ..	An Act for the Amendment of the Law of Bankruptcy.	The whole, except as hereinbefore in the Bankrupt Law Consolidation Act, 1849, is excepted, so far as the act repeals any other act or acts or any part of any other act or acts, and except so far as relates to the appointment, tenure of office, and removal of additional commissioners, deputy registrars, and official assignees to act in the country, except so far as relates to the salaries of commissioners, and except so far as relates to the transfer of the duties and business of the clerk of inrolments to the registrar of the court acting in Basinghall-street, and except so far as relates to retiring annuities and allowances, and except so far as relates to the allowance of travelling and other expenses to the commissioners and deputy registrars.
7 & 8 Vict. c. 96....	An Act to amend the Law of Insolvency, Bankruptcy, and Execution.	So far as relates to the powers of the Lord Chancellor to issue fiat against a trader upon petition of the trader himself, and to attach the commissioners acting in the country to any district.
8 & 9 Vict. c. 48....	An Act to substitute a Declaration for an Oath in Cases of Bankruptcy.	So far as relates to England.
10 & 11 Vict. c. 102..	An Act to abolish the Court of Review in Bankruptcy, and to make Alterations in the Jurisdiction of the Court of Bankruptcy and Court for the Relief of Insolvent Debtors.	So far as the act enacts that all laws, orders, and authorities touching the practice and manner of proceeding in the Court of Review, and appealing to and from that court, shall continue in force and be applicable to the jurisdiction of the Vice-Chancellor appointed to act in bankruptcy, and so far as the act enacts that all sums and fees shall continue to be payable and receivable by the like persons, and to be paid and applied to the like purposes, as the same had theretofore been paid and received in respect of any matter in the said Court of Review.
11 & 12 Vict. c. 86..	An Act to empower the Commissioners of the Court of Bankruptcy to order the Release of Bankrupts from Prison in certain Cases.	The whole.

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SCHEDULE (B.)

The Bankrupt Law Consolidation Act, 1849.

RETURN by ——, one of the Official Assignees of the Court of Bankruptcy for the —— District, shewing the State of every Bankruptcy under his Charge, and not finally wound up, on the 31st Day of December, 18—.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.
Name of Bankrupt.	*Gross Amount of Debts and Liabilities stated in the Bankrupt's Balance Sheet.*	*Net Amount of Debts proved.*	*Gross Amount of Assets in Balance Sheet.*	*Total Amount of Assets collected.*	*Total Amount paid in Dividends.*	*Average Rate per Cent. on the Debts proved.*	*Total Amount of Charges, (exclusive of the Allowances to the Official Assignee).*	*Total Amount of Allowances paid to the Official Assignee.*	*Total Amount of Allowances to Official Assignee for Petty Expenses.*	*Average Rate per Cent. on Monies collected by Official Assignee.*	*Balance in Bank of England to the Credit of the Estate.*	*Balance in Hands of Official Assignee.*	*Particulars of Certificates granted, refused, and suspended, (distinguishing the Result of each Bankruptcy).*	*Cause of Failure, as shewn by Bankrupt's Books and Accounts.*	*Bankruptcies in which final Dividends have been declared, and the Estates wound up, between 1st January and 31st December, 18—, inclusive.*	*Certificates allowed.*	*Class of Certificate, 1, 2, or 3.*

SCHEDULE (C.)

Document.	*Stamp Duty in Lieu of Fees.*
Every petition for adjudication of bankruptcy, or for arrangement between any debtor and his creditors, under the superintendence and control of the court, or for certificate of arrangement by deed	£10 0 0
Every declaration of insolvency	0 2 6
Every summons of trader debtor	0 2 6
Every admission or deposition of trader debtor	0 2 6
Every bond with sureties	0 5 0
Every application for search for petition or other proceeding, (except search for the appointment of any sitting or meeting)	0 1 0
Every allocatur by any officer of the court for any costs, charges, or disbursements,—where such bill of costs shall not exceed 5*l.*	0 1 6
Exceeding 5*l.* and not exceeding 10*l.*	0 2 6
„ 10 „ 20	0 5 0
„ 20 „ 30	0 7 6
„ 30 „ 50	0 10 0
„ 50 „ 100	0 15 0
„ 100 „ 150	1 0 0
„ 150 „ 200	1 10 0
„ 200 „ 300	2 0 0
„ 300 „ 500	3 0 0
„ 500	5 0 0

SCHEDULE (D.)

The Bankrupt Law Consolidation Act, 1849.

Declaration of Insolvency by Trader.

I, the undersigned E. F., of ——, do hereby declare that I am unable to meet my engagements with my creditors. Dated at the hour of —— o'clock in the forenoon, [*or*, "at noon," *or*, "in the afternoon," *as the case may be*], this —— day of ——, in the year of our Lord ——.

(Signed) E. F.

Witness,
G. H., attorney of the Court of ——.

SCHEDULE (E.)

The Bankrupt Law Consolidation Act, 1849.

Writ of Summons to be served on a Member of Parliament in order to enforce the Provisions of "The Bankrupt Law Consolidation Act, 1849."

Victoria, &c.

To C. D., of ——, Esquire, having privilege of Parliament, greeting:

We command you, that, within one calendar month next after personal service hereof on you, you do cause an appearance to be entered for you in our Court of ——, in an action on promises, [*or* "debt," *or as the case may be*], at the suit of A. B.; and you are hereby informed, that an affidavit of debt for the sum of —— hath been filed in the proper office, according to the provisions of "The Bankrupt Law Consolidation Act, 1849," and that unless you pay, secure, or compound for the debt sought to be recovered in this action, or enter into such bond as by the said act is provided, and cause an appearance to be entered for you within one calendar month next after such service hereof, you will be deemed to have committed an act of bankruptcy from the time of the service hereof.

Witness ——, at Westminster, the —— day of ——.

This writ is to be served within four calendar months from the date thereof, including the day of such date, and not afterwards, and is to be indorsed with the name of the plaintiff or his attorney in manner following—that is to say,

This writ is issued by E. F., of ——, attorney for the plaintiff [*or* "plaintiffs"] within named;

or,

This writ was issued in person by the plaintiff within named, who resides at [*mention the city, town, or parish, and also the name of the hamlet, street, and number of the house of the plaintiff's residence, if any such there be.*]

SCHEDULE (F.)

The Bankrupt Law Consolidation Act, 1849.

Affidavit for summoning a Trader Debtor.

A. B., of ——, and C. D., of ——, severally make oath and say, and first this deponent, A. B., for himself saith, that E. F. is justly and truly indebted to this deponent in the sum of [*the amount of the debt*], for &c., [*stating the nature of the debt with certainty and precision*]; and this deponent further saith, that the said E. F., as this deponent verily believes, is a trader within the meaning of the law of bankruptcy, and resides at ——; and that an account in writing of the particulars of the demand of the said A. B., amounting to the said sum of [*the amount of the debt*], with a notice thereunder written in the form prescribed by "The Bankrupt Law Consolidation Act, 1849," requiring immediate payment of the said debt, is hereunto annexed; and this deponent, C. D., for himself saith, that he did, on the —— day of —— instant [*or*, "last"], personally [*or otherwise, according to the fact*] serve the said E. F. with a true copy of the said account and notice.

Sworn, &c.

SCHEDULE (G.)

The Bankrupt Law Consolidation Act, 1849.

Particulars of Demand, and Notice requiring Payment.

To E. F., of ——.

The following are the particulars of the demand of the un-

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dersigned A. B., of ——, against you, the said E. F., amounting to the sum of [*the amount of the debt. Then copy the account.*]

Take notice, that I, the said A. B., hereby require immediate payment of the said sum of ——. Dated this —— day of ——, in the year of our Lord ——.

(Signed) A. B.

SCHEDULE (H.)

The Bankrupt Law Consolidation Act, 1849.

Summons of Trader Debtor.

These are to will and require you, to whom this warrant is directed, personally to be and appear before the Court of Bankruptcy, in Basinghall-street, in the city of London, [*or*, "at ——, in the county of ——"], on the —— day of ——, at —— o'clock; and you are hereby informed that the purpose for which you are thus summoned to appear before the said court is to ascertain, in manner and form prescribed by "The Bankrupt Law Consolidation Act, 1849," whether or not you admit the demand of A. B., of ——, (who claims of you the sum of [*state the amount*] for a debt), or any and what part thereof, or whether you verily believe that you have a good defence upon the merits to the said demand, or to any and what part thereof; and hereof you are not to fail, at your peril.

Given under my hand the —— day of ——, in the year of our Lord ——.

(Signed) C. D., Commissioner.

SCHEDULE (I.)

The Bankrupt Law Consolidation Act, 1849.

Admission of Debt by Trader Debtor.

Court of Bankruptcy, Basinghall-street, London, [*or*, "at ——, in the county of ——"], —— day of ——, A.D. ——.

Whereas I, the undersigned E. F., of ——, am summoned to appear before this honourable court for the purpose of stating, in manner prescribed by "The Bankrupt Law Consolidation Act, 1849," whether or not I admit the demand of A. B., of ——, (who claims of me, the said E. F., the sum of [*the amount*] for a debt), or any and what part thereof; or whether I verily believe that I have a good defence upon the merits to the said demand, or to any and what part thereof: be it known, that I, the said E. F., hereby confess that I am indebted to the said A. B. in the said sum of ——, [*or*, "in part of the said sum of ——, that is to say, in the sum of ——."]

(Signed) E. F.

SCHEDULE (J.)

The Bankrupt Law Consolidation Act, 1849.

Deposition by Trader Debtor that he has good Answer to Creditor's Demand, or Part thereof.

Court of Bankruptcy, Basinghall-street, London, [*or*, "at ——, in the county of ——"], —— day of ——, A.D. ——.

E. F., of ——, being sworn on the day and year and at the place aforesaid, upon his oath saith, that he verily believes he has a good defence upon the merits to the demand [*or*, "to ——, part of the demand"] hereinafter mentioned of A. B., of ——, who claims of the said E. F. the sum of ——, for a debt alleged to be due and owing from the said E. F. to the said A. B., as stated in the affidavit of the said A. B. filed in this honourable court, and bearing date the —— day of ——.

Sworn before me, J. K., Commissioner.

(Signed) E. F.

SCHEDULE (K.)

Form of Bond to pay admitted Demand.

Know all men by these presents, that we, A. B., C. D., and E. F., are jointly and severally held and firmly bound to E. F. in the sum of ——, of lawful money of Great Britain, to be paid to him, his executors, administrators, or assigns, for which payment well and truly to be made we jointly and severally bind ourselves, our heirs, executors, and administrators.

Dated this —— day of ——, in the year of our Lord 18—.

—— (L.S.)
—— (L.S.)
—— (L.S.)

Whereas the said A. B., after being duly summoned to appear in her Majesty's Court of Bankruptcy, for the purpose of stating whether or not he admits a certain demand of the said E. F., amounting to the sum of ——, or any and what part thereof, or whether he verily believes that he hath a good defence upon the merits to the said demand, or to any and what part thereof, hath deposed upon oath [*or*, "affirmation," *as the case may be*], that he verily believes that he, the said A. B., hath a good defence upon the merits to the said demand, [*or*, "to ——, part of the said demand."] *And whereas an action of debt, [*or as the case may be*], wherein the said E. F. is plaintiff, and the said A. B. is defendant, is now depending in [*name of court in which the action is depending*], for the recovery of the said demand [*or*, "last-mentioned sum," *as the case may be*]: Now, therefore, the condition of this obligation is such, that if the said A. B. shall, on demand, well and truly pay to the said E. F., or his attorney or agent, such sum as shall be recovered by, together with such costs as shall be given to, the said E. F. in such action, this obligation shall be void and of no effect, but otherwise shall be and remain in full force and virtue. [*Or if an action has not been already brought, insert, instead of the paragraph following the*, these words:*—] Now, therefore, the condition of this obligation is such, that if the said A. B. shall, on demand, well and truly pay or cause to be paid to the said E. F., his attorney or agent, such sum or sums as shall be recovered by, together with such costs as shall be given to, the said E. F. in any action which shall hereafter be brought for the recovery of the said demand [*or*, "last-mentioned sum," *as the case may require*], this obligation shall be void and of no effect, but otherwise shall be and remain of full force and virtue.

SCHEDULE (L.)

The Bankrupt Law Consolidation Act, 1849.

Admission of Debt by Trader Debtor signed out of Court.

I, the undersigned E. F., of ——, do hereby confess that I am indebted to A. B., of ——, in the sum of ——.

(Signed) E. F.

Dated this —— day of ——, A.D. ——.

Witness,
G. H., attorney for the said E. F., and subscribing witness to the execution hereof as such attorney.

SCHEDULE (M.)

The Bankrupt Law Consolidation Act, 1849.

Petition by a Creditor for Adjudication of Bankruptcy.

To the Court of Bankruptcy for the —— District.

The humble petition of ——

Sheweth,

That ——, being a trader, and having resided [*or*, "carried on business," *as the case may be*] for six calendar months next immediately preceding the date of this petition within the district of this honourable court, that is to say, at [*insert the name of the place*], is indebted unto your petitioner in the sum of fifty [*if two petitioners*, "seventy," *and if three or more*, "one hundred"] pounds, [*as the case may be*], and that your petitioner has been informed and believes that the said —— did lately commit an act of bankruptcy, within the true intent and meaning of the law of bankruptcy.

Your petitioner therefore humbly prays, that, on proof of the requisites in that behalf, adjudication of bankruptcy may be made against the said ——.

And your petitioner shall ever pray, &c.

Signed by the petitioner on the —— day of ——, 18—, in the presence of ——, solicitor in the matter of this petition.

If the petition be by partners, alter the form accordingly, and let it be signed by one on behalf of himself and partners.

If the petition be by several, not being partners, then it must be signed by each, and in such case the names of the several petitioners should be stated in the attestation or attestations relating thereto respectively.

If the petitioner cannot speak to the place of residence or business of the trader, strike out the averment as to that, and annex to the petition a separate affidavit of some person who can depose to the fact.

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If the petition be against partners, alter the form accordingly.

SCHEDULE (N.)

The Bankrupt Law Consolidation Act, 1849.

Affidavit of Truth of Allegations in Petition.

—— day of ——, A. D. ——.

——, of ——, in the —— of ——, the petitioner named in the petition hereunto annexed, maketh oath and saith, that the several allegations in the said petition are true.

Sworn at ——, this —— day of ——, 18—, before me, ——.

If the petitioner affirm, alter the form accordingly.

SCHEDULE (O.)

The Bankrupt Law Consolidation Act, 1849.

Petition by a Trader for Adjudication of Bankruptcy against himself.

To the Court of Bankruptcy for the —— District.

The humble petition of ——

Sheweth,

That your petitioner, being a trader within the meaning of the law of bankruptcy, and having resided [*or*, "carried on business," *as the case may be*,] for six calendar months next immediately preceding the date of this petition within the district of this honourable court, that is to say, at [*insert the name of the place*], and being unable to meet his engagements with his creditors, has filed a declaration of insolvency in manner and form in that case made and provided, and that your petitioner verily believes that he can make it appear to the satisfaction of the court that his available estate is sufficient to pay his creditors at least 5*s.* in the pound.

Your petitioner therefore humbly prays, that, on proof of the requisites in that behalf, adjudication of bankruptcy may be made against him.

And your petitioner shall ever pray, &c.

Signed by the petitioner on the —— day of ——, 18—, in the presence of ——, solicitor in the matter of this petition.

If the petition be by partners, alter the form accordingly, and state the names of the several petitioners in the attestation or attestations relating thereto respectively.

SCHEDULE (P.)

The Bankrupt Law Consolidation Act, 1849.

Order to prosecute a Petition for Adjudication of Bankruptcy in a particular District.

Court of Bankruptcy, Basinghall-street, London, the —— day of ——, A. D. ——.

In the matter of a petition for adjudication of bankruptcy against C. D., of &c.

Upon application made to me this day by —— ["of counsel" or "solicitor"] for ——, and upon reading the affidavit of ——, I do hereby order that the petition for adjudication of bankruptcy against the above-named C. D. be prosecuted in the —— district.

A. B., Commissioner.

SCHEDULE (Q.)

The Bankrupt Law Consolidation Act, 1849.

Order to consolidate Proceedings, or to impound any Petition for Adjudication of Bankruptcy, and the Proceedings thereunder, or any Part thereof.

Court of Bankruptcy, Basinghall-street, London, the —— day of ——, A. D. ——.

Ex parte ——.

In the matter of ——.

Upon application made to me this day by —— ["of counsel" or "solicitor"] for ——, and upon reading the affidavit of ——, I do order that [*stating the order.*]

A. B., Commissioner.

SCHEDULE (R.)

The Bankrupt Law Consolidation Act, 1849.

Order to transfer a Petition for Adjudication of Bankruptcy, &c. from the Court in one District to the Court in another District.

Court of Bankruptcy, Basinghall-street, London, the —— day of ——, A. D. ——.

Ex parte ——.

In the matter of ——.

Upon application made to me this day by —— ["of counsel" or "solicitor"] for ——, and upon reading the affidavit of ——, I do order that [*stating the order.*]

A. B., Commissioner.

SCHEDULE (S.)

General Docket Book.

Name of Bankrupt.	*Residence.*	*Trade.*	*Petitioning Creditor.*	*Solicitor.*	*Date of filing Petition.*	*Commissioner or Court.*	*Date of Adjudication.*	*When advertised.*	*When annulled.*	*Time allowed to Petitioning Creditor for proceeding extended.*	*Proceedings consolidated, impounded, or transferred, (as the Case may be).*	*Date of Certificate of Conformity.*	*Class of Certificate, 1, 2, or 3.*

SCHEDULE (T.)

The Bankrupt Law Consolidation Act, 1849.

Order for Petition for Adjudication of Bankruptcy to be proceeded in, on a substituted Debt.

Court of Bankruptcy, Basinghall-street, London, [*or*, "at ——, in the county of ——"], —— day of ——, A. D. ——.

In the matter of ——, a bankrupt.

Upon application made to the court this day by —— ["of counsel" *or* "solicitor"] for ——, a creditor of the above-named bankrupt, and who has proved a debt of sufficient amount to support an adjudication, and the debt of the petitioning creditor having been found by the court to be insufficient to support the adjudication of bankruptcy against the above-named ——, it is hereby ordered, that the petition for adjudication of bankruptcy filed against the said ——, on the —— day of ——, be proceeded in, and that the costs of &c. [*stating such order as to costs of any of the parties concerned as the court thinks fit.*]

A. B., Commissioner.

SCHEDULE (U.)

The Bankrupt Law Consolidation Act, 1849.

Order annulling Adjudication.

Court of Bankruptcy, Basinghall-street, London, [*or* "at ——, in the county of ——"], —— day of ——, A. D. ——.

In the matter of ——.

Upon reading the proceedings in the above matter, and upon hearing [the evidence now adduced, *if the case be so*, and] what was alleged by ——, and being satisfied that the petitioning creditor's debt, trading, and act of bankruptcy [*or specify the particular matter deemed insufficient, as the case may require*] upon which the adjudication of bankruptcy made against the said ——, on the —— day of ——, was grounded, were and are [*or*, "was and is"] insufficient to support such adjudication, and no other debt, trading, or act of bankruptcy

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[*or specify the particular matter requisite in lieu of that deemed insufficient, as the case may require*] sufficient to support such adjudication being proved, I do order that the adjudication of bankruptcy made against the said ——, on the said —— day of ——, be annulled, and the same is hereby annulled accordingly.

A. B., Commissioner.

SCHEDULE (V.)

The Bankrupt Law Consolidation Act, 1849.

Search Warrant.

—— day of ——, A. D. ——.

Whereas by evidence duly taken upon oath it hath been made to appear to the satisfaction of me, the undersigned commissioner of the Court of Bankruptcy, acting in the prosecution of a petition for adjudication of bankruptcy filed and now in prosecution against A. B., of ——, in the county of ——, bearing date the —— day of ——, and under which the said A. B. has been adjudged bankrupt, that there is reason to suspect and believe that property of the said A. B. is concealed in the house [*or other place, describing it, as the case may be*] of one C. D., of ——, in the county of ——, such house not belonging to the said bankrupt: these are therefore, by virtue of "The Bankrupt Law Consolidation Act, 1849," to authorise and require you, with necessary and proper assistants, to enter, in the daytime, into the house [*or other place, describing it, as the case may be*] of the said C. D., situate at —— aforesaid, and there diligently to search for the said property, and if any property of the said bankrupt shall be there found by you on such search, that you seize the same, to be disposed of and dealt with according to the provisions of the said act.

Given under my hand and the seal of the court, at the Court of Bankruptcy, London, [*or*, "at the Court of Bankruptcy for the —— District, at ——, in the county of ——"], this —— day of ——, in the year of our Lord 18—.

A. B., (L. S.)
Commissioner.

To ——, my messenger, and his assistants.

If there be reason to suspect that the bankrupt and his property are concealed, alter the warrant accordingly.

SCHEDULE (W.)

The Bankrupt Law Consolidation Act, 1849.

Form of Declaration to be made by the Bankrupt or the Bankrupt's Wife.

I, A. B., the person declared a bankrupt under a fiat in bankruptcy dated the —— day of ——, [*or*, "under a petition for adjudication of bankruptcy filed on the —— day of ——, in the year of our Lord ——"] [*or*, "I, C. D., the wife of A. B., declared a bankrupt under a fiat in bankruptcy dated the —— day of ——," *or*, "under a petition for adjudication of bankruptcy filed on the —— day of ——"], do solemnly promise and declare, that I will make true answer to all such questions as may be proposed to me respecting all the property of the said A. B., and all dealings and transactions relating thereto, and will make a full and true disclosure of all that has been done with the said property, to the best of my knowledge, information, and belief.

(Signed) A. B.,
[*or*, "C. D., the wife of the said A. B."]

SCHEDULE (X.)

The Bankrupt Law Consolidation Act, 1849.

Admission of Debt by Creditor of Bankrupt.

I, the undersigned I. K., of ——, do hereby, in open court, confess that I am indebted to E. F., of ——, a bankrupt, in the sum of ——, upon the balance of accounts between myself and the said E. F.

(Signed) I. K.

Witness,
G. H., attorney of one of the superior courts, and named by the said I. K., [*or*, "named by the court here"], according to "The Bankrupt Law Consolidation Act, 1849."

SCHEDULE (Y.)

The Bankrupt Law Consolidation Act, 1849.

Order for Payment of Debt admitted in Court to be due to the Estate of a Bankrupt.

Court of Bankruptcy, Basinghall-street, London, [*or*, "at ——, in the county of ——"], —— day of ——, A. D. ——.

In the matter of ——, a bankrupt.

Whereas ——, of ——, in his examination taken on the —— day of ——, and signed and subscribed by the said ——, has admitted that he is indebted to the above-named bankrupt in the sum of ——, upon the balance of accounts between the said —— and the said bankrupt: it is hereby ordered, that the said —— do pay to ——, the official assignee of the estate and effects of the said bankrupt, in full discharge of the sum so admitted, the sum of —— forthwith, [*or, if otherwise, state the time and manner of payment*], and that the said —— do also pay to the said official assignee the sum of —— for the costs of and incident to the summons of the said —— in this behalf.

A. B., Commissioner.

C. D., Registrar.

If the court shall not adjudge the costs of and incident to the summons to be paid by the person summoned, or if the court shall adjudge the official assignee to pay to the person summoned his costs, out of the estate and effects of the bankrupt, alter the form accordingly.

SCHEDULE (Z.)

The Bankrupt Law Consolidation Act, 1849.

Certificate of Conformity.

I, ——, Esq., one of the commissioners of her Majesty's Court of Bankruptcy, acting in the prosecution of a fiat in bankruptcy, dated the —— day of ——, [*or*, "a petition for adjudication of bankruptcy filed against ——, and bearing date the —— day of ——"], 18—, do certify that the said —— became bankrupt before the date and issuing of the said fiat, [*or*, "date and filing of the said petition"], within the true intent and meaning of the law of bankruptcy, and was thereupon adjudged bankrupt accordingly; and I further certify, that due notice was given in the London Gazette of such fiat having been issued, [*or*, "petition having been filed"], and of the adjudication thereon, and that two public sittings for the said bankrupt to surrender and conform were duly appointed, the last of which said sittings was appointed to be on the —— day of —— last; and I further certify, that such two several sittings were had pursuant to such notice, and that before three of the clock upon the said —— day of —— the said bankrupt did surrender himself, and did sign and subscribe such surrender, and submit to be examined from time to time upon oath; and I further certify, that the said bankrupt did, on the —— day of —— last, finish his examination, and upon such examination made a full disclosure and discovery of his estate and effects, and in all things conformed, and, so far as the court can judge, there doth not appear any reason to question the truth or fulness of such discovery; and I further certify, that on the —— day of ——, in the year of our Lord 18—, at the Court of Bankruptcy in Basinghall-street, London, [*or*, "at ——, in the county of ——"], I held a public sitting for the allowance of this certificate to the said bankrupt, (whereof, and of the purport whereof, the notice required in that behalf was duly given), and having regard to the conformity of the said bankrupt to the law of bankruptcy, and to his conduct as a trader before as well as after his bankruptcy, I did then and there find the said bankrupt entitled to such certificate, and did allow the same; and I further certify, that his bankruptcy has arisen from unavoidable losses and misfortunes, and that he is entitled to, and I do award him, this certificate, as of the first class; [*or*, "that his bankruptcy has not wholly arisen from unavoidable losses and misfortunes, and that he is entitled to, and I do award him, this certificate, as of the second class;" *or*, "that his bankruptcy has not arisen from unavoidable losses or misfortunes, and that he is only entitled to, and I do only award him, this certificate, as of the third class."]

If the certificate be allowed with conditions, the same to be inserted here.

Given under my hand and the seal of the court, at the

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Court of Bankruptcy, London, [*or*, "at the Court of Bankruptcy for the —— district, at ——, in the county of ——"], this —— day of ——, in the year of our Lord, 18—.

A. B., (L. S.)
Commissioner.

Signed and sealed in the presence of ——.

In case of adjournment, or of the allowance of the certificate having been suspended, or of the allowance thereof by the Vice-Chancellor, or upon a rehearing, alter the form accordingly.

SCHEDULE (A a.)

The Bankrupt Law Consolidation Act, 1849.

Petition for Arrangement.

To the Court of Bankruptcy for the —— District.

The humble petition of ——

Sheweth,

That your petitioner, being a trader unable to meet his engagements with his creditors, and desirous of laying the state of his affairs before them, under the superintendence and control of this honourable court, and of submitting himself to the jurisdiction thereof, petitions the court under the provisions of "The Bankrupt Law Consolidation Act, 1849."

That the inability of your petitioner to meet his engagements with his creditors arises from ——.

Your petitioner therefore prays that his person and property may be protected from all process, and that such proposal as he may be able to make [*or*, "such modification thereof as by three-fifths in number and value of his creditors may be determined"] may be carried into effect, under the superintendence and control of this honourable court.

And your petitioner shall ever pray, &c.

Signed by the petitioner in the presence of ——, solicitor in the matter of this petition.

SCHEDULE (A b.)

The Bankrupt Law Consolidation Act, 1849.

Affidavit in support of Petition for Arrangement.

——, of ——, in the —— of ——, the petitioner named in the petition hereunto annexed, maketh oath and saith, that the several allegations in the said petition are true, and that he, this deponent, hath assets ready to be produced to this honourable court to the value of 200*l.* and upwards.

Sworn at ——, this —— day of ——, 18—, before me, ——.

SCHEDULE (A c.)

The Bankrupt Law Consolidation Act, 1849.

Certificate to Petitioning Trader.

Court of Bankruptcy, Basinghall-street, London, [*or*, "at ——, in the county of ——"], —— day of ——, A. D. ——.

Whereas ——, of ——, a trader, unable to meet his engagements with his creditors, did, on the —— day of ——, present his petition to this honourable court, under the provisions of "The Bankrupt Law Consolidation Act, 1849," praying that a certain proposal, or such modification thereof as by three-fifths in number and value of his creditors might be determined, should be carried into effect, under the superintendence and control of the said court: and whereas ——, one of the commissioners of the said court, acting in the matter of the said petition, caused such sittings of the court to be held as are directed by the said act: and whereas a certain resolution or agreement was duly assented to at such sittings, which the said commissioner, thinking to be reasonable and proper to be executed under the direction of the said court, caused to be filed and entered of record therein: and whereas the said resolution or agreement has been fully carried into effect: I hereby certify the several matters aforesaid under my hand and the seal of court, this —— day of ——, 18—.

A. B., (L. S.)
Commissioner.

SCHEDULE (A d.)

The Bankrupt Law Consolidation Act, 1849.

Certificate to Official Assignee.

Court of Bankruptcy, Basinghall-street, London, [*or*, "at ——, in the county of ——"], —— day of ——, A. D. ——.

Whereas ——, of ——, a trader, unable to meet his engagements with his creditors, did, on the —— day of ——, present his petition to this honourable court, under the provisions of "The Bankrupt Law Consolidation Act, 1849," praying that a certain proposal should be carried into effect, under the superintendence and control of the said court: and whereas ——, one of the commissioners of the said court, acting in the matter of the said petition, caused certain sittings of the court to be held pursuant to the said act: and whereas a certain resolution or agreement was duly assented to at such sittings, which the said commissioner, thinking the same to be reasonable and proper to be executed under the direction of the said court, caused to be filed and entered of record therein: and whereas the said resolution or agreement has been fully carried into effect, and I am satisfied that ——, the official assignee appointed to carry the said resolution or agreement into effect, has fully performed his trust: I hereby certify the same under my hand and the seal of the court, this —— day of ——, 18—.

A. B., (L. S.)
Commissioner.

SCHEDULE (B a.)

The Bankrupt Law Consolidation Act, 1849.

Certificate to Assignees or to a Creditor to entitle them to issue Writ of Execution.

Court of Bankruptcy, Basinghall-street, London, [*or*, "at ——, in the county of ——"], —— day of ——, A. D. ——.

In the matter of ——, a bankrupt.

I hereby certify, that A. B., of ——, and C. D., of ——, assignees of the estate and effects of the above-named bankrupt, are creditors of the said bankrupt as such assignees for the sum of ——, in trust for the creditors of the said bankrupt, [*or*, "that E. F., of ——, is a creditor of the said bankrupt for the sum of ——"], and that the said bankrupt is not protected by this court from process against his person.

G. H., Commissioner.

I. J., Registrar.

Seal of the Court.

SCHEDULE (B b.)

The Bankrupt Law Consolidation Act, 1849.

Warrant against Person disobeying any Rule or Order of Court.

Whereas by a rule [*or*, "an order"] of this court, bearing date the —— day of ——, made for enforcing the purposes and provisions of "The Bankrupt Law Consolidation Act, 1849," [*or if of any other act hereafter in force relating to the subject matters of this act, or made or entered into by consent for carrying into effect any of such purposes or provisions, alter the recital accordingly*], it was ordered, that, [*&c., &c., as in the rule or order*]

And whereas it is now proved that after the making of the said rule [*or*, "order"], that is to say, on this —— day of ——, a copy of the said rule [*or*, "order"] was duly served on the said —— personally, and the original rule [*or*, "order"] at the same time shewn to him, but the said —— then refused [*or*, "neglected"] to obey the same, and hath not as yet obeyed the said rule [*or*, "order"]

These are therefore to will, require, and authorise you, immediately upon receipt hereof, to take into your custody the body of the said A. B., and him safely to convey to her Majesty's gaol [*or*, "prison"] of ——, [*or*, "called ——"], and him there to deliver to the keeper of the said prison, together with this precept, and the keeper of the said prison is hereby required and authorised to receive the said A. B. into his custody, and him safely to keep and detain, without bail or mainprize,

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until this court, or the Vice-Chancellor appointed to sit in bankruptcy, or the Lord Chancellor, shall make order to the contrary; and for so doing this shall be your sufficient warrant.

Given under my hand and the seal of the court, at the Court of Bankruptcy, London, [*or*, "at the Court of Bankruptcy for the —— district, at ——, in the county of ——"], this —— day of ——, in the year of our Lord 18—.

A. B., (L.S.)
Commissioner.

To ——, my messenger, or his assistant, and to the keeper of her Majesty's prison [*or*, "gaol"] of ——, [*or*, "called ——"], or his deputy there.

(List of Public General Statutes to be continued.)

London Gazettes.

TUESDAY, October 9.

BANKRUPTS.

REUBEN MICHAEL, late of Bury-street, St. Mary Axe, London, and now of Boulogne-sur-Mer, France, general merchant, dealer and chapman, Oct. 18 at 1, and Nov. 23 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Gresham, Castle-street, Holborn.—Fiat dated Sept. 28.

DANIEL SLATER, Preston, near Uppingham, Rutlandshire, cabinet maker, Oct. 15 at 12, and Nov. 26 at half-past 2, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Barber, Furnival's-inn.—Fiat dated Sept. 28.

THOMAS TIDY, Hare-street, Woolwich, Kent, cheesemonger, dealer and chapman, Oct. 15 at half-past 1, and Nov. 26 at 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Fitch, 17, Union-street, Borough.—Fiat dated Oct. 2.

JAMES BICKERTON the younger, Bread-street, Cheapside, London, hat manufacturer, dealer and chapman, Oct. 16 at 11, and Nov. 15 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Luttly & Batt, Dyers'-hall.—Fiat dated Oct. 4.

DANIEL HOLTTUM the elder and DANIEL HOLTTUM the younger, Westbere, near Canterbury, Kent, carpenters and wheelwrights, dealers and chapmen, Oct. 18 at 2, and Nov. 22 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Buchanan, 8, Basinghall-street.—Fiat dated Oct. 8.

HENRY CLARK, Leicester, cabinet maker, dealer and chapman, Oct. 12 at 11, and Nov. 16 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Hodgson, Birmingham; Hardwick & Davidson, Weavers'-hall, London.—Fiat dated Sept. 12.

GEORGE BODINGTON, Birmingham, chemist and druggist, and horse dealer, dealer and chapman, Oct. 23 and Nov. 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Fiat dated Sept. 28.

JOSEPH BIRLEY, Doncaster, Yorkshire, grocer, confectioner, corn dealer, dealer and chapman, Oct. 27 and Nov. 24 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Collinson, Doncaster; Lammin, John-street, Adelphi, London.—Fiat dated Sept. 28.

EDWARD BRIEN, Bristol, cabinet maker, upholsterer, dealer and chapman, Oct. 25 and Nov. 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. W. & C. Bevan, Bristol; White & Co., Bedford-row, London.—Fiat dated Oct. 6.

THOMAS KNIGHT, Bristol, silversmith and jeweller, dealer and chapman, Oct. 23 and Nov. 20 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. King, Bristol; Jones & Co., Crosby-square, London.—Fiat dated Oct. 5.

JOSEPH JONES, Liverpool, licensed victualler, hotelkeeper, dealer and chapman, Oct. 26 and Nov. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Woodburn, Liverpool; Keightley & Co., Chancery-lane, London.—Fiat dated Oct. 5.

Meetings.

Thomas Maycock, Bletchington, Oxfordshire, brick maker, Oct. 31 at 11, Court of Bankruptcy, London, aud. ac.—*Peter Chaloner*, Clirow, Radnorshire, innkeeper, Oct. 31 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*J. Adams*, Staplemead, Laverton, Somersetshire, fuller, Oct. 31 at 12, District Court of Bankruptcy, Bristol, aud. ac.; Nov. 2 at 11, div.—*Thomas Jones*, Abbey, Caron, Cardiganshire, cattle salesman, Nov. 1 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thomas Butterworth*, Greenbooth-mills, near Rochdale, Lancashire, woollen manufacturer, Nov. 1 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Nov. 2 at 11, div.—*John Leedham*, Northowram, Yorkshire, innkeeper, Nov. 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Thos. Barraclough* and *John Everitt*, Bottoms-mill, Southowram, Halifax, Yorkshire, woollen spinners, Nov. 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 2 at 11, div.—*John Fairclough*, Leeds, Yorkshire, cloth merchant, Nov. 1 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 2 at 11, div.—*James Pearse*, Andover, Hampshire, saddler, Nov. 1 at 2, Court of Bankruptcy, London, div.—*Augustus Bohté*, Sackville-st., Piccadilly, Middlesex, tailor, Oct. 30 at 12, Court of Bankruptcy, London, div.—*Richard Milner*, Darlington, Durham, timber merchant, Oct. 31 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Henry Lister*, Lincoln, miller, Dec. 5 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Holliday, Chatham, Kent, carpenter, Oct. 30 at half-past 12, Court of Bankruptcy, London.—*John James Weston*, Cranbrook, Kent, cattle dealer, Nov. 1 at 1, Court of Bankruptcy, London.—*William Hardwick*, Great Russell-street, Bloomsbury, Middlesex, laceman, Oct. 30 at 11, Court of Bankruptcy, London.—*John Jackson*, South Shields, Durham, common brewer, Oct. 31 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thomas M. Adams*, Holton-le-Beckering, Lincolnshire, corn factor, Dec. 12 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull.—*John Longbottom*, Leeds, Yorkshire, machine manufacturer, Nov. 2 at 11, District Court of Bankruptcy, Leeds.—*Thomas Davis*, *James Glossop*, and *James Brankley*, Morris-mill, Pilsworth, near Bury, Lancashire, dyers, Nov. 1 at 12, District Court of Bankruptcy, Manchester.—*John Hickson*, Eccleshill, Bradford, Yorkshire, apothecary, Nov. 1 at 11, District Court of Bankruptcy, Leeds.—*W. Ramsden*, Wakefield, Yorkshire, painter, Nov. 1 at 11, District Court of Bankruptcy, Leeds.—*George Brier*, Kirkheaton, Yorkshire, stonemason, Nov. 1 at 11, District Court of Bankruptcy, Leeds.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Oct. 30.

George S. Corley, Oundle, Northamptonshire, dealer in music.—*David Allan*, Coleman-st. and Lothbury, London, merchant.—*John Philipson*, North Shields, Northumberland-printer.—*Samuel Bayly*, Folkestone, Kent, cheesemonger.—*Tilden Chrismas*, Isle of Harty, Kent, brewer.—*Charles Shackell*, Bristol, tailor.—*Thomas Potter*, Sheffield, Yorkshire, printer.—*John Hutchison*, River-terrace North, City-road, Islington, Middlesex, apothecary.—*Sarah G. Eyre*, Leeds, Yorkshire, innkeeper.—*Edmund Moody* the younger, Frome Selwood, Somersetshire, ironfounder.—*W. Blacknell*, Plumstead, Kent, baker.—*John Greenshields*, Liverpool, merchant.

Fiat Annulled.

William Henry Bell, Leeds, Yorkshire, woollendraper.

Partnership Dissolved.

Augustus Charles Veley, *John Cunnington*, and *Augustus Cunnington*, Braintree, Essex, attornies, solicitors, and conveyancers, (so far as regards the said *John Cunnington*).

Scotch Sequestrations.

Patrick Rattray, Glasgow, builder.—*George Finlay*, Glasgow, wine merchant.—*Morrison & M'Ewen*, Edinburgh, jewellers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Adrian Lowe, Birmingham, metal dealer, Oct. 29 at 2, County Court of Warwickshire, at Birmingham.—*Geo. Bowes*, Lee Bank, Edgbaston, Warwickshire, slater, Oct. 29 at 2,

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County Court of Warwickshire, at Birmingham.—*Samuel Hall*, Chorlton-upon-Medlock, near Manchester, assistant cashier or clerk, Oct. 19 at 11, County Court of Lancashire, at Manchester.—*John Glencross*, Manchester, joiner, Oct. 19 at 11, County Court of Lancashire, at Manchester.—*Wm. Tindell*, Sheldergate, Yorkshire, coal dealer, Oct. 24 at 10, County Court of Yorkshire, at York.—*Jos. Cattaneo*, York, clockmaker, Oct. 24 at 10, County Court of Yorkshire, at York.—*John Stephenson*, Southwick, Durham, labourer, Oct. 23 at 10, County Court of Durham, at Sunderland.—*John Siddle*, Black-hill, Durham, grocer, Oct. 26 at 10, County Court of Durham, at Shotley-bridge.—*John Fryers*, Carnforth, Lancashire, wheelwright, Oct. 27 at 10, County Court of Lancashire, at Lancaster.—*Joseph Gawith*, Wenning Bank, Clapham-cum-Newby, West Riding of Yorkshire, beerseller, Oct. 24 at 10, County Court of Westmoreland, at Kirkby Lonsdale.—*John Edgar Robbins*, Langport Eastover, Somersetshire, licensed victualler, Oct. 24 at 12, County Court of Somersetshire, at Langport.—*Richard Gerard*, St. Asaph, Flintshire, attorney's clerk, Oct. 12 at 11, County Court of Flintshire, at St. Asaph.—*Richard Millen*, Minster, Isle of Sheppy, Kent, farmer, Oct. 15 at 10, County Court of Kent, at Sheerness.

Saturday, Oct. 6.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William Henry Smith, Walcot-place, Lambeth, Surrey, retired commander in the Royal Navy, No. 60,929 T.; James Wyatt, assignee.—*Herbert Morgan* the younger, Ebbw-vale Iron-works, Monmouth, railman, No. 70,366 C.; John Williams, assignee.—*Wm. Jones*, Lower-house, Llyswen, Brecon-shire, farmer, No. 70,748 C.; David Hughes, assignee.—*John Cadwogan Powell*, Cefngorwydd, Breconshire, farmer, No. 71,446 C.; David Hughes and Joshua Williams, assignees.—*Thomas Chrismas*, Tivoli, near Hastings, Sussex, brewer, No. 71,541 C.; Ebenezer Beeman, assignee.—*Simon Landry*, on board the brig L'Empereur, Sunderland, Durham, master mariner, No. 71,506 C.; James Wilson and John Doherty, assignees.—*Thomas Downs*, Portsmouth, Southampton, boatswain of her Majesty's ship Childers, No. 30,421 C.; Samuel Sturgis, new assignee, in room of Henry Abbinett, removed.

Saturday, Oct. 6.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Freeth, Bishopsgate-st. Without, London, pastrycook: in the Debtors Prison for London and Middlesex.—*Richard George Knight*, Deptford, Kent, braxier: in the Debtors Prison for London and Middlesex.—*Wm. Norman*, Whittington-place, Upper Holloway, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*George Henry Adams King*, Long-acre, Middlesex, coffee-shop keeper: in the Queen's Prison.—*Renton Nicholson*, Bow-st., Covent-garden, Middlesex, hotel keeper: in the Queen's Prison.—*Elijah Cockshot*, Blackburn, Lancashire, beer-house keeper: in Lancaster Castle.—*Charles Parsonage*, Liverpool, butcher: in Lancaster Castle.—*John Roby* the younger, Liverpool, oil manufacturer: in Chester Castle.—*H. Thomas*, Carmarthen, flour dealer: in the Gaol of Carmarthen.—*Jas. Whitehead*, Blackburn, Lancashire, cotton spinner: in Lancaster Castle.—*John Cook*, Manchester, beer-house keeper: in Lancaster Castle.—*John Gallon*, Newcastle-upon-Tyne, shipsmith: in the Gaol of Newcastle-upon-Tyne.—*Joseph Griffin*, Upton-upon-Severn, Worcestershire, licensed victualler: in the Gaol of Coventry.—*Henry Green*, Liverpool, ironmonger: in the Gaol of Lancaster.—*James Holdsworth*, Wolverhampton, Staffordshire, hedge carpenter: in the Gaol of Stafford.—*Wm. Newham* the younger, Melton Mowbray, Leicestershire, chimney sweeper: in the Gaol of Leicester.—*R. Winn*, Aston, Warwickshire, blank tray maker: in the Gaol of Warwick.—*Samuel Gould*, Manchester, cabinet maker: in the Gaol of Lancaster.—*Alexander Kelly*, Liverpool, mat dealer: in the Gaol of Lancaster.—*Ralph Thompson*, Newcastle-upon-Tyne, watchmaker: in the Gaol of Newcastle-upon-Tyne.—*Joseph Wilson*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*H. Buttle*, Norwich, waterman: in the Gaol of Norwich.—*James Bedale*, Manchester, shopkeeper: in the Gaol of Lancaster.—*John Dickinson*, Manchester, retail beerseller: in the Gaol of Lancaster.—*Wm. Dugard*, Yardley, Worcestershire, provision dealer: in the Gaol of Coventry.—*Edward Langslow*, Birmingham, tailor: in the Gaol of Coventry.—*Richard Standing*, Waddington, near Clitheroe, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Edw. Wilford*, Liverpool, attorney at law: in the Gaol of Lancaster.—*George Coy*, Maidford, near Towcester, Northamptonshire, innkeeper: in the Gaol of Northampton.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, *Oct. 22.*

James Sparrow, Oxford, draper.—*J. H. Atkins*, Oxford, cabinet maker.—*Harry Hitchcock*, Oxford, chemist.

At the County Court of Staffordshire, at STAFFORD, *Oct. 23 at 10.*

James Holdsworth, Wolverhampton, hedge carpenter.

At the County Court of Warwickshire, at WARWICK, *Oct. 23 at 10.*

Robert Winn, Aston, out of business.

At the County Court of Warwickshire, at COVENTRY, *Oct. 24.*

Wm. Dugard, Yardley, out of business.—*Edw. Langslow*, Birmingham, tailor.

FRIDAY, OCTOBER 12.

BANKRUPTS.

THOMAS WARREN BOULTON, Bread-court, Bow-street, Covent-garden, Middlesex, potato salesman, dealer and chapman, Oct. 22 at half-past 11, and Dec. 3 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Wilde, Union-court, Old Broad-street, London.—Fiat dated Oct. 8.

HENRY FEATHERSTONHAUGH WOOSTER, Brunswick-place, Wandsworth-road, Surrey, shipowner and commander, Oct. 22 at 1, and Dec. 3 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Burke, Newman's-court, Cornhill.—Fiat dated Oct. 9.

SAMUEL WATKINS SAUNDERS, now of Park-road, Brixton, and late of Castle-street, St. Saviour's, Southwark, Surrey, engineer and pattern maker, dealer and chapman, Oct. 22 at half-past 12, and Dec. 3 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Bateman, Essex-street, Strand.—Fiat dated Oct. 8.

GEORGE WILLIAM SAKER, Prospect-row, Bermondsey, Surrey, builder, Oct. 22 at half-past 1, and Dec. 3 at half-past 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Butler, Tooley-street.—Fiat dated Oct. 4.

RICHARD BEARD, Millman-mews, New Millman-street, Guildford-street, and Parliament-street, Westminster, Middlesex, metallic plate and picture frame manufacturer, dealer and chapman, Oct. 23 and Nov. 22 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Fiddey, Temple.—Fiat dated Oct. 8.

JOSEPH WILBRAHAM, Church-lane, Whitechapel, Middlesex, and Aldgate, London, builder, dealer and chapman, Oct. 25 and Nov. 29 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Boldan, Craven-street, Strand.—Fiat dated Oct. 8.

PETER ROBERTS, Birmingham, builder, dealer and chapman, Oct. 25 and Nov. 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Bushwell, Birmingham.—Fiat dated Oct. 8.

PHILIP WATKINS, Weston, Herefordshire, tavern keeper and builder, dealer and chapman, Oct. 20 and Nov. 13 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Hammond, Leominster; Parker, Birmingham.—Fiat dated Oct. 5.

JOSEPH KNIGHT, Stanley, Leek, Staffordshire, joiner and builder, dealer and chapman, Oct. 25 and Nov. 15 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Williams, Stanley, Staffordshire.—Fiat dated Oct. 8.

REV. THOMAS FREDERICK PAULL HANKINS, clerk, Hereford, cider and perry merchant, dealer and chapman, Oct. 20 and Nov. 20 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Gwillim, Hereford; Suckling, Birmingham; Smith & Son, Southampton-street, London.—Fiat dated Sept. 28.

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THOMAS VANSITTART BOWATER, Birmingham, factor, dealer and chapman, Oct. 25 and Nov. 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Underhill, Birmingham.—Fiat dated Oct. 8.

GEORGE PLANT, Stafford, grocer and cheese dealer, dealer and chapman, Oct. 20 and Nov. 20 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Hiern, Stafford; James, Birmingham.—Fiat dated Oct. 8.

THOMAS OSBORN, Birmingham, swordmaker, dealer and chapman, Oct. 27 and Nov. 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Fiat dated Oct. 9.

HENRY SOLOMON, JAMES SMITH, and JAMES DUNSTON GALER, Birmingham, grocers and tea dealers, dealers and chapmen, (trading jointly at Dale-end, Birmingham, under the firm of Solomon, Galer, & Co., the said James Smith and James Dunston Galer trading at Bull-street, Birmingham, under the firm of Smith & Galer), Oct. 27 and Nov. 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Wright, Birmingham.—Fiat dated Oct. 8.

GEORGE MILSOM, St. George, Gloucestershire, dealer in horses, and licensed retailer of beer, dealer and chapman, Oct. 26 and Nov. 23, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Sabine, Bristol; Treherne & White, Barge-yard-chambers, Bucklersbury, London.—Fiat dated Oct. 5.

WILLIAM ROWETT, Liverpool, broker, ship chandler, sail maker, dealer and chapman, Oct. 26 and Nov. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Bell, Liverpool; Norris & Co., Bedford-row, London.—Fiat dated Oct. 8.

WILLIAM MAUDE, Bolton-le-Moors, Lancashire, licensed victualler, innkeeper, dealer and chapman, Oct. 22 and Nov. 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Gaskell, Bolton-le-Moors; Gregory & Co., Bedford-row, London.—Fiat dated Oct. 4.

PETER WALKER, Gee Cross, Stockport, Cheshire, cotton waste dealer, Oct. 23 and Nov. 13 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Worthington & Co., Manchester; Fox, 46, Finsbury-circus, London.—Fiat dated Oct. 8.

Meetings.

Chas. Lowe Swainson and *John Birchwood*, Manchester, manufacturers, Oct. 23 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Wm. H. Richardson*, Darlaston, Staffordshire, tube manufacturer, Oct. 25 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Bernard Bottenheim*, Manchester, merchant, Oct. 31 at 12, District Court of Bankruptcy, Manchester, last ex.—*James Payant*, Manchester, and Lisbon, Portugal, merchant, Oct. 24 at 12, District Court of Bankruptcy, Manchester, last ex.—*Thos. Wilson* and *Henry Corbett*, Manchester and Preston, Lancashire, merchants, Oct. 25 at 12, District Court of Bankruptcy, Manchester, last ex.—*William A. Barton*, Coventry, surgeon, Nov. 10 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Thos. B. Molyneux* and *Percival Witherby*, Liverpool, merchants, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, and. ac.; Nov. 13 at 11, div.—*Joseph Moody*, Worksop, Nottinghamshire, innkeeper, Nov. 3 at 12, District Court of Bankruptcy, Sheffield, and. ac.—*George Crookes*, Sheffield, Yorkshire, bookseller, Nov. 3 at 12, District Court of Bankruptcy, Sheffield, and. ac.—*John Scott*, Sheffield, Yorkshire, flour dealer, Nov. 3 at 12, District Court of Bankruptcy, Sheffield, and. ac.—*Wm. P. Morgan*, Abergavenny, Monmouthshire, innkeeper, Nov. 14 at 12, District Court of Bankruptcy, Bristol, and. ac.—*Chas. M. Collett*, Lincoln's-inn-fields, Middlesex, attorney, Nov. 5 at 12, Court of Bankruptcy, London, div.—*Richard Pope* and *John B. Pope*, Adelaide-place, London-bridge, London, and Crigglestone, Yorkshire, brick manufacturers, Nov. 5 at 11, Court of Bankruptcy, London, fin. div.—*Matthew Burton* and *Benj. Shaw*, Manchester, cotton spinners, Nov. 6 at 12, District Court of Bankruptcy, Manchester, fin. div. sep. est. of *M. Burton*.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Parfrement, King-st., Holborn, Middlesex, boot maker, Nov. 3 at 12, Court of Bankruptcy, London.—*Edw. Archer*, Clare-st., Clare-market, Middlesex, baker, Nov. 3 at half-past 12, Court of Bankruptcy, London.—*George Fred. Bennett*, Quadrant, Regent-st., Middlesex, goldsmith, Nov. 5 at 12, Court of Bankruptcy, London.—*Saml. W. Rickman*, Hailsham, Sussex, innkeeper, Nov. 3 at half-past 11, Court of Bankruptcy, London.—*James Tripps*, Southampton, upholsterer, Nov. 2 at 11, Court of Bankruptcy, London.—*Joseph Smith*, St. Runwald's, Colchester, Essex, innkeeper, Nov. 5 at half-past 11, Court of Bankruptcy, London.—*Wm. Parfitt*, Gravesend, Kent, builder, Nov. 2 at half-past 11, Court of Bankruptcy, London.—*Nathaniel Cobb*, Colchester, Essex, upholsterer, Nov. 5 at 12, Court of Bankruptcy, London.—*Thomas Withers*, St. Dunstan's-hill, London, wine merchant, Nov. 5 at 1, Court of Bankruptcy, London.—*Benj. Cubitt Siely*, Beech-grove, North Walsham, Norfolk, money scrivener, Nov. 2 at 2, Court of Bankruptcy, London.—*Wm. Thomas Parey*, West Smithfield, London, licensed victualler, Nov. 2 at half-past 12, Court of Bankruptcy, London.—*Wm. Davis*, Lock's-bottom, Farnborough, Kent, brewer, Nov. 2 at 11, Court of Bankruptcy, London.—*John Stevenson*, Brecon, grocer, Nov. 6 at 11, District Court of Bankruptcy, Bristol.—*Eliz. Bussell*, *Robert Bussell*, and *Chas. Bussell*, Gloucester, builders, Nov. 16 at 11, District Court of Bankruptcy, Bristol.—*John Turner*, Oldham, Lancashire, cotton spinner, Nov. 8 at 12, District Court of Bankruptcy, Manchester.—*Thomas Kenny*, Liverpool, bookseller, Nov. 6 at 11, District Court of Bankruptcy, Liverpool.—*Charles Penn*, Liverpool, victualler, Nov. 6 at 11, District Court of Bankruptcy, Liverpool.—*John Wells*, Chawson, Salwarpe, Worcestershire, cattle salesman, Nov. 7 at 12, District Court of Bankruptcy, Birmingham.—*Charles Nixon*, Birmingham, picture-frame maker, Nov. 10 at 12, District Court of Bankruptcy, Birmingham.—*George Monro*, Birmingham, hackneyman, Nov. 10 at 12, District Court of Bankruptcy, Birmingham.—*John Bodily*, Southam, Warwickshire, farmer, Nov. 6 at 10, District Court of Bankruptcy, Birmingham.

To be allowed by the Vice-Chancellor of the High Court of Chancery, acting in Bankruptcy, unless Cause be shewn to the contrary on or before Nov. 2.

Andrew Peacock, Liverpool, corn merchant.—*Geo. Viner* and *Henry Viner*, Bristol, brewers.—*Sir George Rich*, Knight, Fenchurch-st., London, corn dealer.—*S. Langdale* the younger, Stockton-upon-Tees, Durham, and Yarm, Yorkshire, corn dealer.

Scotch Sequestrations.

Joseph T. M'Fadyen, Glasgow, pianoforte merchant.—*John William Wallace*, Dumfries, merchant tailor.—*George Lupton*, Swinton, Berwickshire, merchant.—*John M'Lachlan*, deceased, Coatbridge, Lanarkshire, jeweller.

DECLARATION OF INSOLVENCY.

Henry Hedges, Longworth, Berkshire, licensed victualler, Oct. 26 at 2, County Court of Berkshire, at Farringdon.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Palmer, Walsall, Cressley, Nottinghamshire, farmer, Nov. 9 at 9, County Court of Nottinghamshire, at Nottingham.—*Collingwood Hunt Jeffery*, Chesterton, Cambridgeshire, bricklayer, Oct. 26 at 10, County Court of Cambridgeshire, at Cambridge.—*Thomas Plomer Lewis Cross*, Chester, out of business, Oct. 22 at 10, County Court of Cheshire, at Chester.—*Wm. Jefferson*, Chester, proctors' law stationer, Oct. 22 at 10, County Court of Cheshire, at Chester.—*James Hounslow*, Buckland, Dover, Kent, out of business, Oct. 24 at 11, County Court of Kent, at Dover.—*Philip Heyhes*, Wollerton, Hodnet, Shropshire, blacksmith, Nov. 19 at 12, County Court of Shropshire, at Drayton.—*Richard Cleophas Sims*, Southampton, accountant, Oct. 24 at 10, County Court of Hampshire, at Southampton.—*Charles Hounsell*, Southampton, plumber, Oct. 24 at 10, County Court of Hampshire, at Southampton.—*George Tule Young*, Leeds, Yorkshire, commission agent, Oct. 26 at 10, County Court of Yorkshire, at Leeds.—*Wm. Sewell*, Sutterton Fen, Sutterton, near Boston, Lincolnshire, shoemaker, Nov. 13 at 10, County Court of Lincolnshire, at Boston.—*Giles Richard Jose*, Carmarthen, out of business, Oct. 23 at 2, County Court of Carmarthenshire, at Carmarthen.—*Wm. Tomlinson Standbridge*, Plymouth, Devonshire, lieutenant in her Majesty's Royal Navy, Nov. 7 at 11, County Court of Devonshire, at

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Plymouth.—*Wm. Charles Henson*, Stamford Baron, Northamptonshire, baker, Nov. 5 at 2, County Court of Lincolnshire, at Stamford.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, *Oct.* 26 *at* 10.

William Peachey, Swaffham Prior, labourer.

At the County Court of Lancashire, at LANCASTER, *Oct.* 26 *at* 11.

Robert Pearson, Liverpool, grocer.—*Samuel Gould*, Manchester, out of business.—*Wm. Ledden*, Liverpool, eating-house keeper.—*Catherine M'Ewen*, widow, Standishgate, Wigan, out of business.—*Samuel Smith*, Shawforth, near Bacup, out of business.—*Joseph Wilson*, Manchester, out of business.—*James Simes*, Preston, out of business.—*Alexander Kelly*, Liverpool, mat dealer.—*Richard Stansfield*, Preston, bread baker.—*John Dearden*, Pinfold, Rochdale, in no business.—*Joseph Armitage*, Tranmere, Cheshire, baker.—*John Cook*, Manchester, beer-house keeper.—*Edward Wilford*, Liverpool, attorney at law.—*James Whitehead*, Blackburn, cotton spinner.—*James Bedale*, Manchester, baker.—*John Dickinson*, Manchester, retail beerseller.—*William Edwin Clark*, Bootle, near Liverpool, commercial traveller.—*John Pollard*, Liverpool, grocer.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Henry Bunny, Gent., of Newbury, in the county of Berks, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Berks.

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The Jurist

No. 667—Vol. XIII. OCTOBER 20, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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LONDON, OCTOBER 20, 1849.

The "Act for amending the Procedure in Courts of General and Quarter Sessions" (the 12 & 13 Vict. c. 45) will come into operation on the 1st of next month. It is framed on the model of another of Mr. Baines's acts, relating to orders of removal, (the 11 & 12 Vict. c. 31), and seeks to effect two desirable objects—uniformity in appeals to quarter sessions, and the prevention of frivolous and merely formal objections before that tribunal. In furtherance of the first object it is enacted, that in every case of appeal (except against a summary conviction, order of removal, or order under any statute relating to pauper lunatics, or in bastardy, or any proceeding under any statute relating to the excise, customs, stamps, taxes, or post-office) to general or quarter sessions, fourteen clear days' notice of appeal, at least, shall be given; that it shall be in writing, signed by the person giving it, or his attorney; that it shall specify the grounds of appeal, and that on the trial thereof the appellant shall not give evidence of any other ground. (Sects. 1 and 2).

The above exceptions will still render notices of appeal anything but uniform, as will be evident when we consider that those against summary convictions depend upon the numerous statutes creating the offences, or giving the mode of summary prosecution. Appeals from orders of removal are regulated by the stat. 11 & 12 Vict. c. 31, s. 9; and appeals against orders of maintenance, in the case of lunatic paupers, by sect. 62 of the 8 & 9 Vict. c. 126, are subject to the regulations respecting appeals against orders of removal. (See *Reg.* v. *The Justices of Glamorganshire*, 13 Jur., part 1, p. 453). Notice of appeal, in the two last-mentioned cases, must be given within twenty-one days after service of notice of chargeability, and statement of grounds of removal; or if within the twenty-one days the appellants apply for a copy of the depositions, then within fourteen days after sending copies of the depositions. Notices of appeal against orders in bastardy are to be given within twenty-four hours after the adjudication, and need not be in writing, (7 & 8 Vict. c. 101, s. 4). The only cases in which the right of appealing is recognised in terms by the customs laws is from the decisions of commissioners and justices in Ireland, which right is regulated by the 3 & 4 Will. 4, c. 51, s. 39. Appeals in excise cases are provided for by the 4 Vict. c. 20, s. 26 et seq.; in proceedings under the stamp laws, by the 10 Anne, c. 19, s. 172, the 26 Geo. 3, c. 82, s. 5, and the 3 & 4 Will. 4, c. 97, ss. 24, 28; under the laws relating to taxes, by the 43 Geo. 3, c. 99, s. 24, &c., and the 48 Geo. 3, c. 141; under those relating to the post-office, by the 7 Will. 4 & 1 Vict. c. 36, s. 13.

The fourteen days' notice must be exclusive both of the day of giving it and of the first day of the sessions. (*Reg.* v. *The Justices of Middlesex*, 2 New Sess. Cas. 73). It appears that the appellant will not be allowed to go into grounds of appeal not specified in the notice, even though such grounds be apparent on the face of the order, &c. (See *Rex* v. *The Inhabitants of Withernick*, 6 Adol. & Ell. 273; *Rex* v. *Bromyard*, 8 B. & C. 240).

The 3rd section is taken almost word for word from the 4th section of the 11 & 12 Vict. c. 31, and applies to appeals to general or quarter sessions *in all cases* in which grounds of appeal are required to be sent, preventing objections to the form of a ground of appeal, or to the reception of evidence in support thereof, unless the Court shall be of opinion that such ground is so defectively set forth as not to enable the respondent to inquire into it and prepare for trial; and in *all* cases of

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appeal where it is considered that an objection to any ground of appeal, or to the reception of evidence in support thereof, ought to prevail, such ground may be amended on terms. Any appellant may render himself liable to costs by including frivolous grounds of appeal, (sect. 4, similar to sect. 5, of the 11 & 12 Vict. c. 31); by giving notice of appeal, though it is not afterwards prosecuted, (sect. 6); and by prosecuting or resisting it unsuccessfully, (sect. 5). In the last-named case the costs may be recovered in the manner provided by the 11 & 12 Vict. c. 43, s. 27.

The 7th section provides for the amendment of an order or judgment of justices on the trial of an appeal, or on the return to a certiorari, where the objection is merely formal. A distinction has hitherto prevailed in this respect between convictions and orders; the former might be amended before returned to the sessions, or return may be made to a writ of certiorari. (See *Rex* v. *The Justices of Cheshire*, 5 B. & Adol. 439). But this was not allowed with regard to orders. And if, as we presume, the word "judgment" in this section includes convictions, they may now be amended by the court of quarter sessions or a superior court, as well as before their return to such courts.

The 8th section provides for the substitution of "sufficient" for "insufficient" recognisances entered into for an appeal against an order or summary conviction; and the decision of quarter sessions as to such substitution, as well as sufficiency of statement of grounds of appeal, and the amendment of orders, of judgments, or of statements of grounds of appeal, is to be final. (Sect. 9).

By the 9 Geo. 4, c. 15, in cases where a variance appeared between written or printed evidence and the record, in civil actions or indictments for misdemeanours, the record might be amended. This provision was extended to all offences by the 11 & 12 Vict. c. 46, s. 4; but neither of these statutes gave the power of amendment to courts of quarter sessions. This is remedied, and such courts have equal powers for this purpose with the superior courts, by the 10th section of the present act.

The 11th section enacts, that, after notice of appeal against any judgment, order, rate, or other matter, (except against an order in bastardy, or a proceeding under the excise, customs, stamps, taxes, or post-office laws), for which the remedy is by such appeal, the parties may obtain a judge's order for a special case, and for the opinion of a superior court; and provision is made in similar cases (excepting also appeals against summary convictions) for references to arbitration of such matters of appeal. (Sects. 13—15). Recognisances for the prosecution of an appeal are not to be forfeited by adopting the special case or arbitration, (sect. 16); and the proceedings subsequent to the authority given by the 3 Geo. 4, c. 46, for levying and recovering fines, issues, and amerciaments imposed &c. by any justice, shall be the same as in the case of forfeited recognisances, provided for by that act. (Sect. 17).

The 18th section enacts, that an order of general or quarter sessions may be removed into the Court of Queen's Bench, and enforced as a rule of that Court. This is a great improvement upon the former dilatory and expensive remedy by indictment. Such order may now, if merely for the payment of money, be enforced by execution; if for any other purpose, by attachment.

We may observe, in conclusion, that summary convictions appear not to be excluded from the operation of this statute, except by the 1st section, which relates to the time for giving notice of appeal, its form, &c., and by those which provide for references to arbitration. (Sects. 12—15).

AD VALOREM STAMP ON A LEASE GRANTED, IN PURSUANCE OF A CONTRACT, TO A PURCHASER OF THE BENEFIT OF THE CONTRACT.

An erroneous dictum of the Court of Queen's Bench, in the case of *Boone* v. *Mitchell*, (1 B. & Cr. 18), on a question of practical importance, has been recently overruled by the Court of Exchequer in the case of *The Attorney-General* v. *Brown*, (18 Law Journ., Exch., 336). In *Boone* v. *Mitchell* an action of assumpsit was brought to recover 170*l*., which the defendant agreed to pay to the plaintiff in consideration of his procuring the governors of a charity estate to grant a lease to the defendant. It appeared that the lease had been granted in pursuance of the agreement, and that the plaintiff was a party to it, but it did not contain any reference to the pecuniary consideration agreed to be paid to the plaintiff, and bore no ad valorem stamp in respect of it. Upon a motion for a nonsuit, one of the grounds of objection was, that the lease was void by reason of the omission to notice the consideration. In answer to this the Court said, that "the Stamp Act, requiring the consideration to be set out, and imposing an ad valorem duty on the consideration, applied only to the case of a consideration passing between the lessor and lessee. The Legislature never could have intended the lease to be void by reason of the lessor's omitting to state a consideration which he might not, and perhaps could not, be aware of." The decision was of course correct, because the stamp on a lease is regulated solely by the consideration and rent *expressed* on and reserved by it. The reasons given in the judgment shew that the Court had forgotten the provisions of the Stamp Act. The stamp on a lease is regulated, as we said, by what appears on the face of it, and when the stamp is not sufficient to cover the rent and consideration (if any) expressed, the lease is not void, but only inadmissible in evidence until it is duly stamped; and the ad valorem duty is not charged on the counterpart of a lease, nor does the want of a proper stamp on the lease render the counterpart inadmissible.

But the consideration agreed to be paid to the plaintiff in *Boone* v. *Mitchell* ought to have been stated in the lease, which would then have been chargeable with the ad valorem duty on that sum; for a lease granted in consideration, wholly or in part, of a fine or premium, is liable to the same ad valorem duty in respect thereof as a conveyance on the sale of land for a sum of money of the same amount; and under the title "CONVEYANCE," in the schedule to the Stamp Act, it

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is provided, that "where any person, having contracted for the purchase of any lands or other property, but not having obtained a conveyance thereof, shall contract to sell to any other person, and the same shall in consequence be conveyed immediately to the sub-purchaser, the principal or only deed or instrument of conveyance shall be charged with the said ad valorem duty in respect of the purchase or consideration money therein mentioned to be paid, or agreed to be paid, by the sub-purchaser." An act of the 50 Geo. 3, c. 31, s. 17, referring to and explaining the provisions of the stat. 48 Geo. 3, c. 149, sufficiently shews, that the provision above cited from the present Stamp Act applies to the case in question; and accordingly it was held, in *The Attorney-General* v. *Brown*, that the defendant (who had sold the benefit of an agreement for the lease in consideration of 850*l*., and who was a party to the lease, which did not state the consideration) was liable to the penalties (50*l*. and five times the excess of duty) imposed by the stat. 48 Geo. 3, c. 149, s. 22, on purchasers and sellers omitting to set forth the full purchase or consideration monies in the instrument of conveyance.

By sect. 23 of the same act, parties liable to penalties under the preceding section, and informing, are indemnified, and entitled to a reward. By sect. 24, purchasers are enabled to recover back any consideration-money not set forth; and by sect. 25, solicitors, &c., parties to any such offence, are subjected to a penalty of 500*l*.

Court Papers.

EQUITY SITTINGS, MICHAELMAS TERM.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS.
At the Rolls.

Friday.....	*Nov.* 2	Motions.
Saturday.....	3	Petitions in the General Paper.
Monday.....	5	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Tuesday.....	6	
Wednesday	7	
Thursday.....	8	Motions.
Friday.....	9	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday.....	10	
Monday.....	12	
Tuesday.....	13	
Wednesday.....	14	
Thursday	15	Motions.
Friday	16	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday.....	17	
Monday.....	19	
Tuesday.....	20	
Wednesday	21	
Thursday	22	Motions.
Friday.....	23	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday.....	24	Petitions in the General Paper.
Monday.....	26	Motions.

Short Causes, Consent Causes, and Unopposed Petitions, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

PUBLIC GENERAL STATUTES.

12 & 13 VICTORIÆ.—SESSION 2.

(*Continued from p.* 417).

CAP. CVII.

An Act for the Amendment of the Law of Bankruptcy in Ireland. [1st August, 1849.]

Sect. 1. Commencement of this act.
2. Laws at variance with this act repealed.
3. Petitioning creditor's bond may be dispensed with.
4. Person against whom a commission has issued, on proof of probable cause for believing that he is about to quit Ireland, or to remove or conceal his goods with intent to defraud creditors, may be arrested.
5. Penalty on gaoler suffering bankrupt, &c. to escape.
6. Any person so arrested may apply for his discharge forthwith. Commissioner may discharge the person, or not. Order of commissioner may be appealed from.
7. No person liable upon an act committed more than twelve months.
8. Act of bankruptcy committed within a year sufficient to support adjudication.
9. Requisite amount of petitioning creditor's debt.
10. Persons specially named liable to become bankrupts.
11. Power to commissioner to summon trader, if creditor make affidavit of his debt, and of his having required payment.
12. Manner of proceeding on summons of trader by a creditor.
13. Trader not attending summons, or refusing to admit the demand, and not making deposition of belief of a good defence thereto, and not paying or compounding within a certain time, or giving bond for payment, to be deemed to have committed an act of bankruptcy.
14. Trader signing an admission of demand in form prescribed, and not paying, securing, or compounding within a certain time, an act of bankruptcy.
15. Trader admitting part only of a demand, and not making deposition of a good defence to the residue, and not paying, securing, or compounding for sum admitted, and as to residue not paying or compounding, or entering into bond to pay any sum recovered, with costs, an act of bankruptcy.
16. What shall be deemed a refusal of admission of debt. Commissioners may enlarge the time for admission of demand.
17. Admission of debt signed elsewhere than in court, if attested by attorney of trader, may be filed, and have the same force as an admission signed by a trader on his appearance before commissioners under the summons.
18. Trader summoned on affidavit of debt to have such costs as the commissioners shall think fit; or commissioner may direct the costs to abide the event of any action for the debt.
19. Wherever a creditor plaintiff shall not recover the amount sworn to in his affidavit of debt filed against a trader, if such affidavit be made for such amount without probable cause, the trader defendant shall be entitled to costs.
20. Trader not paying, securing, or compounding for a judgment debt, upon which the plaintiff might sue out execution within fourteen days after notice requiring payment, an act of bankruptcy.
21. Trader disobeying order of any court of law or equity, or order in bankruptcy or lunacy, for payment of money, after service of order for payment on a peremptory day fixed, an act of bankruptcy.
22. Trader filing a declaration of insolvency in the office of the secretary of bankrupts an act of bankruptcy.
23. Filing petition for arrangement between a trader debtor and his creditors, with the concurrence of a certain number thereof, to be an act of bankruptcy, if petition dismissed.
24. Manner of making a debtor a bankrupt by affidavit of debt and notice to pay. Creditor to file an affidavit of debt, and serve notice requiring payment within twenty-one days.
25. If commission not proceeded on by petitioning creditor within three days, any other creditor may proceed on it.
26. If bankrupt shall not proceed to dispute the commission, and prosecute with effect, the Gazette to be conclusive evidence of the bankruptcy as against the bankrupt, and against persons whom the bankrupt might have sued had he not been adjudged bankrupt; saving present rights for which any proceedings are pending.

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27. Provision for debtor to the bankrupt's estate paying the debt into court, when sued by the assignees within the time for bankrupt to dispute.

28. Appointment of official assignees. Their duty.

29. Commissioners may take security by recognisance or of guarantee society.

30. Official assignees to receive bankrupt's estate and effects. How to apply same.

31. Proviso restricting the authority of the official assignee.

32. Lord Chancellor may remove official assignees, and may fill up vacancy in the number.

33. Power to appoint official assignee to act with the existing assignees under commissions now pending, and to whom the latter shall deliver over effects.

34. Official assignee may act until creditors' assignee appointed. May sell the property if commissioner so order, and make allowance to bankrupt for his support. Property vested in official assignee to go to his successor.

35. To exempt official assignee from personal responsibility.

36. Debtor and creditor account to be furnished by official assignee to creditors' assignee before dividend.

37. Remuneration to official assignee.

38. Pay, half-pay, and pensions of bankrupts to be applicable for the benefit of creditors.

39. Audits and dividends to be had and made whenever the commissioner thinks fit, after the time appointed for the bankrupt's last examination.

40. Commissioner may order three months' wages or salary to clerks or servants.

41. Commissioner may order wages not exceeding 40*s.* to labourer or workman.

42. Search warrants may be granted.

43. In cases of member of a firm being bankrupt, commissioners, upon application, may authorise actions or suits in the name of the assignee of the bankrupt and the remaining partner. Partner to have notice of such application, and may shew cause against it. Commissioner may direct partner to have part of proceeds.

44. Bankrupt not surrendering and submitting to be examined, or making discovery of his estate and effects, or not delivering up his estate, books, &c., or concealing, &c. to the value of 10*l.*, guilty of felony, and liable to transportation or imprisonment, with or without hard labour.

45. Commissioner may enlarge the time for the bankrupt surrendering himself. Commissioner may order that bankrupt shall be free from arrest for three months after final examination.

46. Bankrupt destroying or falsifying any of his books, &c., or making false entries, guilty of a misdemeanor, and liable to imprisonment, with or without hard labour.

47. Bankrupt within three months of his bankruptcy having obtained goods on credit under false pretence, or removing, concealing, &c. goods so obtained, guilty of misdemeanor.

48. Bankrupt arrested under warrant from commissioner may be committed.

49. Warrant of committal for unsatisfactory answering or refusing to answer need not specify questions. Copy of the examination to be furnished to the person committed.

50. Obstructing the messenger, &c., a misdemeanor.

51. Commissioner may order release of bankrupt who may be in prison at the time of obtaining protection.

52. Commissioner may order release of bankrupt in execution under a ca. sa., after a certain term of imprisonment.

53. Prosecution against bankrupt for any offence under this act may be ordered by the commissioner acting in the prosecution of the commission.

54. Bankrupt may be discharged by certificate of conformity in manner hereinafter prescribed. Discharge of bankrupt not to release or discharge a partner or person jointly bound.

55. Bankrupt not entitled to certificate if he has lost by gaming 20*l.* in one day, or 200*l.* within one year, or 200*l.* by stock jobbing, or concealed or destroyed books, &c., or made fraudulent entries, or concealed any property, or permitted fictitious debts to be proved.

56. Mode of obtaining certificate of conformity. Certificate not to be a discharge, unless the commissioner certify a full conformity.

57. Contracts or securities to induce creditors to forbear opposition to be void.

58. Penalty for obtaining money, goods, &c. as an inducement to forbear opposition or consenting to allowance or confirmation of certificate.

59. Bankrupt, having obtained his certificate, free from arrest. Certificate to be evidence of the bankruptcy and proceedings. Bankrupts in execution may be ordered to be discharged.

60. Bankrupt not liable upon any promise to pay debt discharged by certificate, unless such promise be in writing.

61. Allowance to bankrupts. Allowance not payable till twelve months after date of commission, and not to be payable to any bankrupt who has not been a trader for twelve months. Allowance if at expiration of twelve months dividend paid be under 10*s.*, &c.

62. One partner may receive allowance, though others not entitled.

63. Interest upon debts when provable, though not reserved or agreed for.

64. Duplicate copy of schedule deposited with the registrars by bankrupt before final examination, and open to inspection.

65. When proceedings cease, file to be deposited with the registrars.

66. Registrars of Court of Bankruptcy to hold office during good behaviour.

67. Commissioners may permit mortgagees to bid at sale.

68. Goods seized under attachments shall be delivered up.

69. Before whom affidavits are to be sworn.

70. Rules to be made for regulating the forms of proceedings and practice to be observed in prosecuting commissions.

71. Warrants to be under hand and seal; and every summons to be in writing under the hand of a commissioner.

72. How summons may be served where the party is keeping out of the way.

73. Punishment of persons giving false evidence, or swearing or affirming anything which shall be false.

74. Application of forfeitures.

75. All bills of solicitors and attornies to be taxed by one of the registrars of the Court of Bankruptcy, subject to review.

76. Bills of auctioneers, appraisers, valuers, and accountants to be settled in the same manner.

77. Power to commissioner, with consent of creditors, to remove creditors' assignee, and appoint another in his stead.

78. Personal and real estate of bankrupt to vest in the new assignee by virtue of appointment. The removed assignee shall fully account.

79. Actions or suits not to be abated by removal of assignees.

80. Costs may be awarded by commissioner of bankrupt. Persons brought up by warrant may be ordered to pay the costs of bringing them up.

81. Orders of commissioners of bankrupt for payment of money or costs to be enforced by writs out of Chancery.

82. Persons capable of giving evidence respecting trading or act of bankruptcy,,or suspected of having bankrupt's property, and being in prison, may be brought for examination under warrant from commissioners of bankrupt.

83. Bankrupts in custody in England, or Scotland, or Ireland to be brought before the commissioners.

84. Depositions, &c. under commissions may be entered of record, without order of Lord Chancellor being necessary. Certificate of entry indorsed to be evidence of the entry. Fee of 1*s.* payable on search for any such record.

85. Where second or other commission is issued against one or more partners, proceedings under second commission shall be stayed, and form part of first commission, if Chancellor so order.

86. Three-fifths in number and value of creditors of bankrupt may accept a composition.

87. Mode of voting in deciding upon such composition.

88. How notice shall be given to the creditors.

89. Creditors who have received notice bound to accept the composition agreed to.

90. Any debtor unable to meet his engagements with his creditors, and unable to obtain their consent to a deed of composition, may, with the concurrence of two-thirds in number and value, petition the commissioners.

91. Petition to be in form in Schedule (I.), and supported by affidavit.

92. Commissioners privately to examine into matter of petition, and if satisfied may allow the same de bene esse, and appoint meeting of creditors, and may grant protection during examination, and after allowance de bene esse of petition.

93. How notice shall be given to the creditors.

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94. Commissioner to examine into matter of petition. If resolution of creditors not confirmed, petition shall be dismissed, and protection cease.
95. Commissioners may renew protection, and, if petitioning debtor be in custody, may order release, &c.
96. Commissioners to appoint a president.
97. If at first meeting major part in number and value, or nine-tenths in value, or nine-tenths in number, whose debts exceed 20*l.*, assent, another meeting to be called.
98. If at second meeting three-fifths in number and value of all the creditors present agree to accept &c., resolution to be binding on all, provided one full third in number and value be present.
99. Creditors to vote according to balance due to them on account fairly stated.
100. Resolution to be submitted to the commissioners, and the commissioners, if they think it reasonable, after hearing creditors for and against, to approve and confirm the same, and to cause it to be filed, and to grant certificate of protection.
101. Estate to vest in trustee, if any be appointed.
102. Resolution to be inrolled, and copy of it to be evidence.
103. Trustee to file account every six months, or oftener, if required.
104. If petitioning debtor has not made a true discovery, &c., he may be summoned and examined.
105. If any difficulty arise as to execution of resolution, &c., a special meeting may be called.
106. When resolution or agreement has been carried into effect, commissioner to give petitioning debtor a certificate thereof, and such certificate to operate as a certificate of conformity.
107. Commissioners, on being satisfied that trustee has fully performed his trust, to give him a certificate, which shall be a full release and acquittance.
108. Nothing contained in the 3 & 4 Vict. c. 105, shall entitle a judgment creditor to any preference over other creditors.
109. Saving such judgments as have been the subject of some legal decision before the passing of this act.
110. Judgments shall, before the 1st day of November, 1849, be entered on all warrants of attorney executed on or before the 1st November, 1840, if not already entered; otherwise such warrants of attorney shall in certain cases be deemed fraudulent and void.
111. Pleas of confession and consents for judgment to be filed within twenty-one days. In what case pleas of confession, &c. deemed fraudulent and void.
112. Fee of only 1*s.* to be paid on searching.
113. All other judgments shall be registered.
114. Petitions of appeal to be filed within twenty-one days. Evidence on hearing.
115. Affidavits, &c. not liable to stamp-duty.
116. Lord Chancellor to settle fees, &c.
117. Secretary of bankrupts, registrars, and other officers to be deemed officers of the Court of Chancery.
118. Construction of act.
119. Act may be amended &c.

CAP. CVIII.

An Act to amend the Joint-stock Companies Winding-up Act, 1848. [Printed, ante, p. 319.] [1st August, 1849.]

CAP. CIX.

An Act to amend an Act to regulate certain Offices in the Petty Bag in the High Court of Chancery, the Practice of the Common-law Side of that Court, and the Inrolment Office of the said Court. [1st August, 1849.]

Sect. 1. Recited act (11 & 12 Vict. c. 94) repealed.
2. Clerk of the Petty Bag to execute his duties in person, except in case of sickness, &c., when he may appoint a deputy, with consent of the Master of the Rolls.
3. Clerk of the Petty Bag to hold office during good behaviour, and on vacancy, to be filled up by the Master of the Rolls.
4. Clerk of the Petty Bag to perform all the duties and be subject to all the regulations of the senior and other clerks, but not to be an attorney of the court.
5. Clerk of the Petty Bag not to act as attorney or solicitor.
6. Salary of Clerk of the Petty Bag.
7. Clerk of the Petty Bag may appoint such clerks to assist him as the Master of the Rolls may direct, to be paid by salary.
8. Salaries and expenses to be paid out of the Suitors' Fee Fund.
9. Penalty on officers for taking gratuities, &c.
10. Power to Lord Chancellor and Master of the Rolls to regulate the transfer of business from time to time.
11. Seal of office to be provided and kept, and may be cancelled or altered from time to time.
12. Certificates of inrolment in the Petty Bag Office.
13. Copies of documents sealed to be received as evidence without further proof.
14. Writs, &c. issued out of Petty Bag Office to be sealed with the Chancery common-law seal.
15. Specifications to be inrolled in the Inrolment Office.
16. For enlarging offices of the Six Clerks.
17. Seal as approved by Master of the Rolls to be provided for the Inrolment Office.
18. Certificates of inrolment to be given, and, when sealed, shall be admitted as evidence.
19. Copies of inrolments stamped with seal of Inrolment Office to be admitted in evidence.
20. Punishment for forging or altering any seal or document.
21. Power to Lord Chancellor, &c. to fix a table of fees. No fees to be taken in respect of duties performed at her Majesty's suit.
22. Clerk of the Petty Bag to receive and pay over certain monies.
23. Clerk of the Petty Bag to keep accounts of fees received, and pay the same into the Suitors' Fee Fund.
24. Solicitors to be entitled to practise as attornies in the common-law side of Chancery.
25. Same costs to be allowed as in courts of common law.
26. Writs may be tested in term time or in vacation.
27. Writs may be made returnable in term time or in vacation.
28. Proceedings of the court may be either in term time or in vacation.
29. Writs of scire facias may be directed to the sheriff of any county.
30. Declarations to be delivered, and not filed.
31. Pleadings to be delivered, and not filed.
32. Issues may be tried in any of the superior courts.
33. Record of issue to be filed in the office of the Petty Bag.
34. Superior courts of common law to have same powers as in actions pending in their courts.
35. Superior courts to give same judgment as Queen's Bench.
36. A transcript of proceedings in courts of common law may be taken into Chancery.
37. Costs to be taxed.
38. Writs and proceedings to be prepared by parties or their attornies.
39. Judges may dispose of matters raising or incident to any action on the common-law side of the Court of Chancery.
40. Master of the Rolls may make orders for the custody, &c. of the records.
41. General rules and orders may be made.
42. Officers' privilege of suing abolished.
43. Proviso as to existing actions by or against officers.
44. Parties or attornies to cause names to be entered in a book at the Petty Bag Office.
45. Affidavits may be sworn before Clerk of the Petty Bag.
46. Saving the jurisdiction of Lord Chancellor and Master of the Rolls.
47. Forms of writs to be settled and approved by Lord Chancellor, &c.
48. Courts of common law to take cognisance of writs.
49. Monies paid into court for her Majesty's use shall continue to be received as heretofore, &c.
50. Construction of terms in this act.
51. Short title.
52. Act may be amended &c.

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CAP. CX.

An Act for suspending, until the 1st Day of June, 1850, the Operation of an Act passed this Session, intituled "An Act for granting Relief against Defects in Leases made under Powers of Leasing in certain Cases." [1st August, 1849.]

CAP. CXI.

An Act to amend the Nuisances Removal and Diseases Prevention Act, 1848. [1st August, 1849.]

London Gazettes.

TUESDAY, October 16.

BANKRUPTS.

THOMAS PICKET HENNINGS, Wyndham-road, Camberwell, Surrey, dealer in wine, spirits, beer, and toys, Oct. 25 and Nov. 29 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Willoughby & Cox, Clifford's-inn.—Fiat dated Oct. 11.

GEORGE BOSS, Brighton, Sussex, postmaster, livery-stable keeper, dealer and chapman, Oct. 29 at half-past 12, and Dec. 10 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Cole, Tokenhouse-yard. — Fiat dated Oct. 9.

WILLIAM BROWN, Wood-st., London, and Providence-house, East-st., Cambridge-heath, Bethnal-green, Middlesex, elastic hatband manufacturer, dealer and chapman, Oct. 22 and Dec. 10 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Mardon & Pritchard, Newgate-street, London.—Fiat dated Oct. 10.

ROBERT WEBB, Great Russell-street, Covent-garden, Middlesex, dealer in ham, beef, and beer, Oct. 23 at 11, and Nov. 29 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Chidley, Guildhall-chambers, London. —Petition dated Oct. 12.

RICHARD CALEB SWEETT, Birmingham, builder and carpenter, dealer and chapman, Oct. 27 and Nov. 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Sargent, Birmingham.—Fiat dated Oct. 10.

JOSEPH GRIFFIN, Upton-upon-Severn, Worcestershire, innkeeper, Oct. 25 and Nov. 24 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Cooper, Upton-upon-Severn; Motteram & Co., Birmingham.—Fiat dated Oct. 2.

EDWARD BOYCE, Southam, Warwickshire, grocer, dealer and chapman, Oct. 30 and Nov. 27 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Hunt & Fortescue, Banbury; Smith, Birmingham.—Fiat dated Oct. 4.

RICHARD JELLEY, Leicester, cabinet maker and upholsterer, dealer and chapman, Nov. 2 and Dec. 7 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Inglesant, Loughborough. — Fiat dated Oct. 9.

JOSEPH FREESTON HEATHCOAT, Leicester, chemist and druggist, dealer and chapman, Nov. 2 and Dec. 7 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Fowkes, Leicester.—Fiat dated Oct. 9.

JOSIAH BINDON, Holne, Devonshire, cattle dealer, dealer and chapman, Oct. 25 and Nov. 19 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Stogdon, Exeter; Baker & Co., Lime-street, London.—Fiat dated Oct. 9.

JAMES PARR, Manchester, cotton and woollen card manufacturer, dealer and chapman, (carrying on business under the style or firm of James Parr & Co.), Oct. 29 and Nov. 19 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Worthington & Co., Manchester; Fox, 40, Finsbury-circus, London.—Fiat dated Oct. 10.

JOHN KIDD, Liverpool, England, and Dublin, Ireland, commission merchant and contractor, dealer and chapman, Nov. 7 and 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Frodsham, Liverpool; Gregory & Co., Bedford-row, London.—Fiat dated Oct. 9.

HENRY GREEN, Liverpool, ironmonger, dealer and chapman, Nov. 6 and 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Rogerson & Co., Liverpool; Vincent, Temple, London.—Fiat dated Oct. 3.

Meetings.

John N. Hart, King-st., Finsbury-sq., Middlesex, watch manufacturer, Nov. 6 at 1, Court of Bankruptcy, London, last ex. — *Henry Bensley*, Southtown, Suffolk, bricklayer, Oct. 27 at 12, Court of Bankruptcy, London, last ex.—*Sir George Rich*, Knight, Fenchurch-st., London, corn dealer, Nov. 5 at 11, Court of Bankruptcy, London, aud. ac.—*James Cutbush*, Kennington, near Ashford, Kent, seedsman, Nov. 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Michael J. Moses*, Houndsditch, London, foreign goods importer, Nov. 7 at 11, Court of Bankruptcy, London, aud. ac. —*Francis D. Lewis*, Castle-court, Birchin-lane, London, and Oxford-st., Middlesex, printer, Nov. 6 at 12, Court of Bankruptcy, London, aud. ac.—*Albert Paine* and *George Frad. Davies*, High-st., Southwark, Surrey, woollen drapers, Nov. 6 at 12, Court of Bankruptcy, London, aud. ac.—*James Eade*, Bywerth, Sussex, tanner, Nov. 2 at 1, Court of Bankruptcy, London, aud. ac.; Nov. 6 at 12, div.—*Edward Archer*, Clare-street, Clare-market, Middlesex, baker, Nov. 3 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Stephen Dancy*, Brighton, Sussex, builder, Nov. 2 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 6 at 11, div. —*E. Brown*, Ixworth, Suffolk, innkeeper, Nov. 2 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 6 at half-past 11, div. —*G. Savage*, Eastdean, Sussex, grocer, Nov. 2 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 6 at 11, div.—*Wm. Gibcard*, Ely, Cambridgeshire, clock maker, Nov. 2 at 1, Court of Bankruptcy, London, aud. ac.; Nov. 6 at half-past 11, div.—*Gaven Morton*, New-rd., Whitechapel-rd., Middlesex, draper, Nov. 2 at half-past 1, Court of Bankruptcy, London, aud. ac.; Nov. 8 at half-past 12, div.—*John Barlow*, Wharf-road, City-road, Middlesex, engineer, Nov. 2 at 1, Court of Bankruptcy, London, aud. ac.; Nov. 6 at half-past 12, div.—*Wm. Ridge*, Grosvenor-row, Pimlico, Middlesex, corn dealer, Nov. 2 at half-past 1, Court of Bankruptcy, London, aud. ac.; Nov. 8 at 12, div.—*John Hanbury*, Shoreditch, Middlesex, distiller, Nov. 3 at 12, Court of Bankruptcy, London, aud. ac. —*Stratford Alfred Eyre*, Fitzroy-st., Fitzroy-square, Middlesex, apothecary, Nov. 5 at half-past 11, Court of Bankruptcy, London, aud. ac. and div.—*Hugh Swan*, High-street, Camden-town, and Hanway-st., Tottenham-court-road, Middlesex, draper, Nov. 5 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Joseph Colin Fletcher*, Greenwich, Kent, coal merchant, Nov. 3 at 12, Court of Bankruptcy, London, aud. ac.—*Richard Millar*, Princes-st., Spitalfields, Middlesex, oilman, Nov. 3 at 11, Court of Bankruptcy, London, aud. ac.—*George Jellicoe*, Bilston, Staffordshire, ironmaster, Nov. 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac. —*John Bennet*, Birmingham, corn dealer, Nov. 6 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Simon Walker*, Birmingham, Warwickshire, and *Alex. Walker* and *John Walker*, Philadelphia, America, merchants, Nov. 7 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Rann* the younger, Dudley, Worcestershire, printer, Nov. 8 at 12, District Court of Bankruptcy, Birmingham, aud. ac. —*Richard Ryder*, Kingston-upon-Hull, grocer, Nov. 7 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*James Harshaw* and *William Askew*, Leeds, Yorkshire, cloth merchants, Nov. 9 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. John*, Bridgewater, Somersetshire, hackneyman, Oct. 29 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*Henry Hill Spurway*, Tiverton, Devonshire, brewer, Oct. 29 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*Thomas Blenkarn*, Chancery-lane, Middlesex, law bookseller, Nov. 6 at 12, Court of Bankruptcy, London, div.—*John Bessell*, Farringdon-street, London, glass merchant, Nov. 6 at 12, Court of Bankruptcy, London, div.—*George Nye*, Maidstone, Kent, cabinet maker, Nov. 8 at 2, Court of Bankruptcy, London, div.—*Emill Pauli*, Lawrence Pountney-hill, London, merchant, Nov. 7 at half-past 12, Court of Bankruptcy, London, div.—*Edward Burbidge*, Piccadilly, Middlesex, umbrella maker, Nov. 7 at half-past 11, Court of Bankruptcy, London, div.—*Francis George Klingelhoefer*, Old Broad-st., London, merchant, Nov. 7 at 11, Court of Bankruptcy, London, div.—*John Elster* and *James Godfrey Elster*, Threadneedle-st., London, merchants, Nov. 7

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at 12, Court of Bankruptcy, London, div.—*Charles Henry Swann*, Sandford, *John Swann*, Wolvercote, and *William Swann*, Ensham, Oxfordshire, paper makers, Nov. 7 at 1, Court of Bankruptcy, London, div.—*Wm. Dicker Stroud*, Woolhampton, Berkshire, linen draper, Nov. 8 at half-past 1, Court of Bankruptcy, London, div.—*Edward Capstick*, Greenwich, Kent, upholsterer, Nov. 8 at 2, Court of Bankruptcy, London, div.—*Richard Bradshaw Burton* and *George Bulpin*, Dublin, drapers, Nov. 8 at 12, Court of Bankruptcy, London, div.—*Samuel Head*, Woodbridge, Suffolk, upholsterer, Nov. 8 at 1, Court of Bankruptcy, London, div.—*John Reay* the younger, and *Henry Reay*, Mark-lane, London, wine merchants, Nov. 5 at half-past 11, Court of Bankruptcy, London, div. sep. est. of *John Reay*.—*James Woodward* and *William Woodward*, Walnut-tree-walk, Lambeth, Surrey, builders, Nov. 6 at 1, Court of Bankruptcy, London, div.—*Wm. Thurnell*, Leadenhall-st., London, and Great Windmill-st., Coventry-street, Piccadilly, Middlesex, upholsterer, Nov. 6 at half-past 11, Court of Bankruptcy, London, div.—*Matthew Sibson*, The Grove, near Wrexham, Denbighshire, schoolmaster, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, div.—*John Miller*, Liverpool, saddler, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Tomsey Creech, Brighton, Sussex, licensed victualler, Nov. 8 at half-past 11, Court of Bankruptcy, London.—*Edward Heather*, Crawford-street, Marylebone, Middlesex, straw hat maker, Nov. 6 at half-past 12, Court of Bankruptcy, London.—*Richard Samuel Whitbread Goymer*, Deal, Kent, hotel keeper, Nov. 8 at 11, Court of Bankruptcy, London.—*James Warden Gowing*, East Dereham, Norfolk, stationer, Nov. 8 at 1, Court of Bankruptcy, London.—*Joseph Woodhams*, Tonbridge, Kent, grocer, Nov. 7 at 11, Court of Bankruptcy, London.—*John George Fuller*, St. James-street, Middlesex, and Streatham, Surrey, wine merchant, Nov. 7 at 12, Court of Bankruptcy, London.—*Robert Belson*, Norwich, plumber, Nov. 7 at 11, Court of Bankruptcy, London.—*Fisher Alderton*, Manningtree, Essex, coach builder, Nov. 7 at 12, Court of Bankruptcy, London.—*George Nye*, Maidstone, Kent, cabinet maker, Nov. 8 at 2, Court of Bankruptcy, London.—*Edw. Gibson*, St. Alban's, Hertfordshire, banker, Nov. 6 at 11, Court of Bankruptcy, London.—*Edward Weston Lemm*, Princes-street, Hanover-square, Middlesex, military outfitter, Nov. 6 at 2, Court of Bankruptcy, London.—*George Russell*, Goswell-road, Middlesex, cabinet maker, Nov. 6 at 12, Court of Bankruptcy, London.—*John Tabb*, Upper Eaton-street, Pimlico, Middlesex, tea dealer, Nov. 27 at 12, Court of Bankruptcy, London.—*Walter Bridgewater Williams*, Burr-street, East Smithfield, Middlesex, wine merchant, Nov. 7 at 11, Court of Bankruptcy, London.—*Thomas Clark*, Lakenham, Norwich, auctioneer, Nov. 6 at 1, Court of Bankruptcy, London.—*Alexander Burn Callander*, Mincing-lane, London, corn factor, Nov. 14 at half-past 2, Court of Bankruptcy, London.—*William Husler*, Woodhouse, Leeds, Yorkshire, stonemason, Nov. 8 at 11, District Court of Bankruptcy, Leeds.

CERTIFICATES GRANTED.

William Perkins, Devonport, Devonshire, cabinet maker, Oct. 13, Exeter District.—*John Bearne Davis*, Newton Abbott, Devonshire, ironmonger, Oct. 13, Exeter District.

PARTNERSHIP DISSOLVED.

William Clarke and *Robert Eagle Clarke*, Thetford, Suffolk, attornies at law and solicitors.

SCOTCH SEQUESTRATIONS.

J. Gordon, Glasgow, sheriff's officer.—*Levi Metzenburgh*, Glasgow, jeweller.—*David Murray*, Edinburgh, dealer in railway shares.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Smith, Bristol, cabinet maker, Nov. 14 at 11, County Court of Gloucestershire, at Bristol.—*William Pritchard Lloyd*, Bathampton, Somersetshire, out of business, Nov. 17 at 12, County Court of Somersetshire, at Bath.—*Harriet Pelling*, St. Mary Redcliff, Bristol, out of business, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.—*Abraham Long*, Portbury, Somersetshire, farmer, Dec. 5 at 11, County Court of Gloucestershire, at Bristol.—*Robert Fewings*, St. Mary Redcliff, Bristol, out of business, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.—*George Davis*, Bedminster, Bristol, in no business, Nov. 14 at 11, County Court of Gloucestershire, at Bristol.—*Maximilian Hodgkins*, St. Augustine the Less, Bristol, carver and gilder, Nov. 21 at 11, County Court of Gloucestershire, at Bristol.—*John Simco*, Birmingham, ginger beer manufacturer, Oct. 29 at 2, County Court of Warwickshire, at Birmingham.—*William Evans*, Wrexham, Denbighshire, surgeon, Oct. 24 at 10, County Court of Denbighshire, at Wrexham.—*George Giles*, Kidderminster, Worcestershire, miller, Oct. 24 at 9, County Court of Worcestershire, at Kidderminster.—*Thos. Hoar*, Flamstead, Hertfordshire, beer-shop keeper, Oct. 26 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Bartholomew Kearney*, Cardiff, Glamorganshire, furniture broker, Oct. 22 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. Stone*, Kidderminster, Worcestershire, fruiterer, Oct. 24 at 9, County Court of Worcestershire, at Kidderminster.—*Margaret Evans*, Caerphilly, near Cardiff, Glamorganshire, grocer, Oct. 22 at 10, County Court of Glamorganshire, at Cardiff.—*Robert Davies*, Cardiff, Glamorganshire, tailor, Oct. 22 at 10, County Court of Glamorganshire, at Cardiff.—*Richard Waring*, Luton, Bedfordshire, one of the attornies of her Majesty's superior courts of law at Westminster, Oct. 25 at 11, County Court of Bedfordshire, at Luton.—*John Pitt Richardson*, St. Alban's, Hertfordshire, bookseller, Oct. 26 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*William Cartwright*, Princes Risborough, Buckinghamshire, licensed victualler, Oct. 22 at 3, County Court of Buckinghamshire, at High Wycombe.—*Charles Sanisbury*, Batheastor, Somersetshire, market gardener, Oct. 20 at 12, County Court of Somersetshire, at Bath.—*Edward Sargent*, Holloway, Bath, saddler, Nov. 3 at 12, County Court of Somersetshire, at Bath.—*George Morris* the younger, Carisbrooke, Isle of Wight, out of business, Oct. 31 at 10, County Court of Hampshire, at Newport.—*William Passmore*, Exeter, greengrocer, Nov. 3 at 10, County Court of Devonshire, at Exeter.—*John Foord*, Bristol, switch-man on the Great Western Railway, Nov. 21 at 11, County Court of Gloucestershire, at Bristol.

Saturday, Oct. 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Jas. Quick, Woodbury, Devonshire, baker, No. 70,431 C.; George Henry Drake, assignee.—*Robert Pope*, Boarhunt-mill, Boarhunt, near Fareham, Hampshire, miller, No. 71,489 C.; George Roberts, assignee.—*W. Smith*, Kingston-upon-Hull, grocer, No. 70,434 C.; John Rank, assignee.—*E. Mansell*, Hastings, Sussex, auctioneer, No. 71,595 C.; Abel Shirley, assignee.—*James Jennings*, Smack-farm, near Crewle, Lincolnshire, farmer's labourer, No. 71,560 C.; William Cooper, assignee.—*T. C. Crutchley*, Ashmore Lake, near Willenhall, Staffordshire, carpenter, No. 70,151 C.; Rich. Shelton, assignee.—*L. Joel*, Newcastle-upon-Tyne, cap merchant, No. 71,169 C.; Edwin Walker and John Fearnley, assignees.

Saturday, Oct. 13.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

William Morgan, Charterhouse-lane, Charterhouse-square, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Joseph Wayre*, Great Russell-street, Bloomsbury, Middlesex, dyer: in the Queen's Prison.—*M. Lopez*, Lower Tulse-hill, Brixton, Surrey, cigar and tobac o importer: in the Debtors Prison for London and Middlesex.—*Jabez Bentham*, Mary-street, Hampstead-road, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Daniel Saunders*, Clifton-terrace, West Brompton, Middlesex, watchmaker: in the Debtors Prison for London and Middlesex.—*Hannah Simmonds*, Hanover-place, America-square, Minories, London, milliner: in the Debtors Prison for London and Middlesex.—*Abraham Thayers*, Wornish, near Guildford, Surrey, gardener: in the Gaol of Horsemonger-lane.—*A. C. Dreyer*, Berners-street, Commercial-

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road East, Middlesex, cooper: in the Debtors Prison for London and Middlesex.—*John Dailey*, Doria-cottages, Old Ford, near Bow, Middlesex, currier: in the Queen's Prison.—*John W. Burton*, Leeds, Yorkshire, general merchant: in the Gaol of York.—*Thos. Charman*, Headless-cross, near Redditch, Warwickshire, retail brewer: in the Gaol of Coventry.—*Catherine M'Ewen*, Wigan, Lancashire, pawnbroker: in the Gaol of Lancaster.—*Samuel Smith*, Shawforth, near Bacup, Lancashire, cotton manufacturer: in the Gaol of Lancaster.—*James Aylward*, Lewes, Sussex, licensed victualler: in the Gaol of Lewes.—*Wm. E. Clark*, Bootle, near Liverpool, grocer: in the Gaol of Lancaster.—*J. Thompson*, Preston, Lancashire, beerseller: in the Gaol of Lancaster.—*Alfred Tofield*, Sheffield, Yorkshire, scale presser: in the Gaol of Sheffield.—*George Burrow*, Lancaster, merchant: in the Gaol of Lancaster.—*James Clayton*, Bradford, Yorkshire, innkeeper: in the Gaol of York.—*William Chater* the younger, Bishopwearmouth, Durham, publican: in the Gaol of Durham.—*Wm. Stubbs*, Chester, licensed victualler: in the Gaol of Chester.—*James Baker*, Tillingham, Essex, blacksmith: in the Gaol of Springfield.—*Edward Smith*, Fen Ditton, Cambridgeshire, gardener: in the Gaol of Cambridge.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 1 *at* 11, *before the* CHIEF COMMISSIONER.

Thos. Manchester, Green-row, Camberwell, Surrey, out of business.—*Richard Botting*, Dorking, Surrey, plumber.—*M. A. Cox*, Blackfriars-road, Surrey, artist.—*John I. Adams*, Murray-street, Camden-town, Middlesex, zinc worker.—*W. Lintott*, Northbone, Godalming, near Guildford, Surrey, lath render.—*Thomas Robinson*, Fountain-place, City-road, Middlesex, out of business.—*Thomas Halfhead*, Russia-lane, Old Ford-road, Bethnal-green, Middlesex, cowkeeper.—*George Jarrett*, Upper Ebury-street, Pimlico, straw hat maker.

Nov. 1 *at* 10, *before Mr. Commissioner* LAW.

J. E. Cooper, Westham, near Pevensey, Sussex, patent brick manufacturer.—*William John Wake*, Printer's-place, Church-row, Bermondsey, Surrey, bricklayer.—*Wm. Jones*, Whitton, Twickenham, Middlesex, licensed victualler.—*John Lee*, John's-place, Henry-street, Doughty-street, Middlesex, out of business.—*Wm. Wright*, Bridge-road, Lambeth, Surrey, manufacturer of ginger beer.—*H. F. Isaac*, Queen's-row, Cambridge-road, Mile-end, Middlesex, out of business.—*C. Jenner*, New North-street, Finsbury, Middlesex, out of business.—*Edward John Lilly*, Union-street, Somers-town, Middlesex, watchmaker.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Merionethshire, at DOLGELLEY, *Oct.* 29 *at* 11.

Hugh Hughes, Gwerndyfrgi, Llanycil, cattle drover.

FRIDAY, OCTOBER 19.

BANKRUPTS.

HENRY BLAIN and CHARLES THOMAS PEARCE, Vauxhall-gardens, Vauxhall, Surrey, wine merchants, dealers and chapmen, Oct. 23 at half-past 1, and Nov. 30 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Moss, 12, Gray's-inn-square, and Asylum-road, New Peckham, Surrey.—Fiat dated Oct. 10.

JAMES ELLIS, Cremorne-house, Chelsea, Middlesex, licensed victualler and tavern-keeper, Nov. 2 at 11, and Dec. 10 at 1, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Hunter, 17, Bloomsbury-street, Bedford-row.—Petition dated Oct. 13.

RICHARD HARRIS, Northampton, carpenter, builder, dealer and chapman, Oct. 30 at 11, and Nov. 29 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Dennis, Northampton; Hensman, Basinghall-street.—Fiat dated Oct. 11.

JOHN MUGRIDGE GARDNER, Bristol, draper, dealer and chapman, Nov. 1 and 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Leman & Humphries, Bristol.—Petition filed Oct. 13.

PETER HEALEY, late of Stapeley, Cheshire, but now of Birmingham, Warwickshire, factor, dealer and chapman, Nov. 2 and Dec. 4 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Rushworth, Birmingham.—Fiat dated Oct. 8.

JOSEPH ASHWORTH, Bury, Lancashire, gardener and confectioner, dealer and chapman, Oct. 30 and Nov. 20 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Grundy, Bury, Lancashire.—Petition dated Oct. 16.

SAMUEL CHARLES FRIPP, Bristol, lodging and boarding house keeper, Nov. 3 and Dec. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Prideaux & Son, Bristol.—Petition filed Oct. 16.

MEETINGS.

S. Aplin, Ipswich, Suffolk, draper, Nov. 6 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 9 at 12, div.—*Chas. W. Stuxley*, Norwich, cabinet maker, Nov. 6 at 11, Court of Bankruptcy, London, aud. ac.—*E. Litchfield*, Ipswich, Suffolk, upholsterer, Nov. 6 at 11, Court of Bankruptcy, London, aud. ac.—*Jonathan Hall*, Rotherhithe, Surrey, shipwright, Nov. 16 at 11, Court of Bankruptcy, London, aud. ac.—*William Hardwick*, Great Russell-st., Bloomsbury, Middlesex, lacemaker, Nov. 16 at 12, Court of Bankruptcy, London, aud. ac.—*Thos. Wisking*, St. John-street, Brick-lane, Bethnal-green, Middlesex, timber merchant, Nov. 16 at 1, Court of Bankruptcy, London, aud. ac.; Nov. 20 at 12, div.—*David Allen*, Coleman-st., and Lothbury, London, merchant, Nov. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Henry Tuppenden* the younger, Ashford, Kent, corn dealer, Nov. 14 at 11, Court of Bankruptcy, London, aud. ac.—*Walter Bridgewater Williams*, Burr-st., East Smithfield, Middlesex, wine merchant, Nov. 14 at 11, Court of Bankruptcy, London, aud. ac.—*Robert Bishop*, Vere-street, Oxford-st., Middlesex, hotelkeeper, Nov. 14 at 11, Court of Bankruptcy, London, aud. ac.—*J. Hill*, Prospect-place, Holloway, Middlesex, builder, Nov. 13 at 12, Court of Bankruptcy, London, aud. ac.—*Samuel Head*, Woodbridge, Suffolk, upholsterer, Nov. 6 at half-past 2, Court of Bankruptcy, London, aud. ac.—*William Gibbie* and *Thomas Provis Ackerman*, Whitecross-st., Middlesex, and New-cut, Lambeth, Surrey, drapers, Nov. 6 at 2, Court of Bankruptcy, London, aud. ac.—*Richard Bradshaw Burton* and *George Bulpin*, Dublin, drapers, Nov. 6 at half-past 2, Court of Bankruptcy, London, aud. ac.—*Seymour Dodd*, Manchester, fustian manufacturer, Nov. 8 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Thomas Butterworth*, Greenbooth-mills, near Rochdale, Lancashire, woollen manufacturer, Nov. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Nov. 9 at 12, div.—*Jos. John Moody*, Stockport, Cheshire, cotton doubler, Nov. 8 at 11, District Court of Bankruptcy, Manchester, aud. ac.; Nov. 9 at 11, div.—*Charles Lowe Swainson* and *John Birchwood*, Manchester, manufacturers, Oct. 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Wynn*, Falmouth, Cornwall, gas manufacturer, Oct. 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*George Adam Anderson* and *George Kirk*, Middlesborough, Yorkshire, hardwaremen, Nov. 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 13 at 11, div.—*Charles Dearlove*, Knaresborough, Yorkshire, grocer, Nov. 15 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 16 at 11, div.—*William Peat*, Liverpool, draper, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Samuel Roberts*, Llanrhaidr, Mocknant, Denbighshire, innkeeper, Oct. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. Mogarey*, Love-lane, Billingsgate, London, coal merchant, Nov. 9 at 1, Court of Bankruptcy, London, div.—*Thomas Joseph Stocken*, Walham-green, Middlesex, brewer, Nov. 9 at 12, Court of Bankruptcy, London, div.—*Robert Goring*, Brentford, Middlesex, butcher, Nov. 9 at 12, Court of Bankruptcy, London, div.—*James Sidney Stopford*, Austin-friars, London, merchant, Nov. 9 at half-past 1, Court of Bankruptcy, London, div.—*Joseph Turner*, Newmarket, Suffolk, saddler, Nov. 9 at 1, Court of Bankruptcy, London, div.—*Albert Paine* and *George Frederick Davies*, High-st., Southwark, Surrey, woollen drapers, Nov. 9 at half-past 12, Court of Bankruptcy, London, div.—*Francis David Lewis*, Castle-court, Birchin-lane, London, and Oxford-st., Middlesex, printer, Nov. 9 at 12, Court of Bankruptcy, London, div.—*David Heathcote Morgan*, Peckham-walk, Old Kent-road, Surrey, coal mer-

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chant, Nov. 9 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Earle*, Castle-st., Long-acre, Middlesex, funeral carriage master, Nov. 9 at half-past 11, Court of Bankruptcy, London, div.—*Joseph Colin Fletcher*, Greenwich, Kent, coal merchant, Nov. 9 at 11, Court of Bankruptcy, London, div.—*John Hanbury*, Shoreditch, Middlesex, distiller, Nov. 9 at 11, Court of Bankruptcy, London, div.—*G. Booth*, Princes-st., Lambeth, Surrey, lime burner, Nov. 12 at 1, Court of Bankruptcy, London, div.—*James Stokes*, Dover, Kent, saddler, Nov. 14 at 2, Court of Bankruptcy, London, div.—*Lewis Rudge*, Great Barford-villa, Great Barford, Bedfordshire, apothecary, Nov. 14 at half-past 1, Court of Bankruptcy, London, div.—*Thomas Allen*, Great Suffolk-street, Southwark, Surrey, Sheffield warehouseman, Nov. 13 at 2, Court of Bankruptcy, London, div.—*Saml. Williams*, Reading, Berkshire, coach proprietor, Nov. 20 at 1, Court of Bankruptcy, London, div.—*George W. M'Arthur Reynolds*, Wellington-st. North, Strand, Middlesex, publisher, Nov. 16 at 11, Court of Bankruptcy, London, div.—*Peter Martin*, Northampton, miller, Nov. 13 at 12, Court of Bankruptcy, London, div.—*George Davis* the younger, Lawrence-lane, London, and Burton-mills, Burton Latimer, and Isham-mills, Isham, Northamptonshire, worsted spinner, Nov. 16 at 12, Court of Bankruptcy, London, div.—*Seymour Dodd*, Manchester, fustian manufacturer, Nov. 16 at 11, District Court of Bankruptcy, Manchester, div.—*Henry Hill Spurway*, Tiverton, Devonshire, brewer, Nov. 14 at 11, District Court of Bankruptcy, Exeter, div.—*Wm. John*, Bridgwater, Somersetshire, hackneyman, Nov. 14 at 11, District Court of Bankruptcy, Exeter, div.—*John Cecil*, *Thomas Dennison*, *James Benson*, and *Michael Dennison*, Liverpool, merchants, Nov. 9 at 11, District Court of Bankruptcy, Liverpool, div.—*Edw. Hipkins*, Egremont, Cheshire, coal dealer, Nov. 9 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Peak*, Liverpool, draper, Nov. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*John Murray* and *William Brown*, Liverpool, millwrights, Nov. 9 at 11, District Court of Bankruptcy, Liverpool, div.—*George Blake* and *James Blake*, Liverpool, and Dublin, soap manufacturers, Nov. 9 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *George Blake*.—*John Scott*, Sheffield, Yorkshire, flour dealer, Nov. 10 at 12, District Court of Bankruptcy, Sheffield, div.—*George H. Steer*, Sheffield, Yorkshire, commission agent, Nov. 10 at 12, District Court of Bankruptcy, Sheffield, div.—*George Crookes*, Sheffield, Yorkshire, bookseller, Nov. 10 at 12, District Court of Bankruptcy, Sheffield, div.—*Richard Ryder*, Kingston-upon-Hull, grocer, Nov. 14 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, div.—*Thomas Beadle*, Croydon, Surrey, carpenter, Nov. 12 at 2, Court of Bankruptcy, London, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James S. Jones, High Holborn, Middlesex, tallow chandler, Nov. 9 at half-past 11, Court of Bankruptcy, London.—*Wm. Rogers*, John-st., Edgeware-road, Middlesex, licensed victualler, Nov. 9 at 1, Court of Bankruptcy, London.—*Wm. Colcock*, James-st., Covent-garden, Middlesex, grocer, Nov. 9 at half-past 11, Court of Bankruptcy, London.—*Martin L. Pritchard* and *Robert N. Dale*, Liverpool, stock brokers, Nov. 9 at half-past 12, Court of Bankruptcy, London.—*Thomas Harris*, Liverpool, auctioneer, Nov. 12 at 11, District Court of Bankruptcy, Liverpool.—*James Stott*, Balladen, Lancashire, cotton spinner, Nov. 14 at 11, District Court of Bankruptcy, Manchester.—*Francis Kindon*, Manchester, draper, Nov. 10 at 11, District Court of Bankruptcy, Manchester.

Certificates Granted.

Jeremiah Smith, Rugeley, Staffordshire, scrivener.—*Saml. Yorke*, Cambridge, upholsterer, (unless an appeal be entered).—*David N. Fisher*, Lynn Regis, Norfolk, musicseller, (unless an appeal be entered).—*Thomas Morris*, Abergavenny, Monmouthshire, corn merchant, (unless cause be shewn to the contrary on or before the 9th day of November, 1849).

Fiat Annulled.

Louis Ensoll, Great Titchfield-st., Middlesex, linendraper.

Scotch Sequestrations.

Hugh Campbell and *Daniel Campbell*, Glasgow, provision merchants.—*James Smith Ronaldson*, Dunfermline, Fifeshire, writer.—*Abraham Brooks*, Edinburgh, coach builder.—*James Clunie*, Auchtermuchty, shoemaker.—*James Ure* and *James Law*, Glasgow, ironfounders.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John R. Gray, Birmingham, furniture broker, Nov. 12 at 2, County Court of Warwickshire, at Birmingham.—*James Lea*, Northfield, Worcestershire, cordwainer, Oct. 29 at 2, County Court of Warwickshire, at Birmingham.—*Thomas M. Whittall*, Birmingham, dealer in cigars, Oct. 29 at 2, County Court of Warwickshire, at Birmingham.—*Edward Woolf*, Birmingham, slipper manufacturer, Oct. 29 at 2, County Court of Warwickshire, at Birmingham.—*Robert Carman*, West Borough, Maidstone, Kent, sailmaker, Nov. 6 at 12, County Court of Kent, at Maidstone.—*B. Bicheno*, Newport, near Saffron Walden, Essex, butcher, Oct. 29 at 11, County Court of Essex, at Saffron Walden.—*J. Grocock*, Northgate, Newark-upon-Trent, Nottinghamshire, brushmaker, Nov. 10 at 12, County Court of Nottinghamshire, at Newark.—*George Hancock*, Stoke-upon-Trent, Staffordshire, joiner, Oct. 26 at 10, County Court of Staffordshire, at Hanley.—*Jas. Gasking*, Devonport, Devonshire, cook, Dec. 20 at 11, County Court of Devonshire, at Plymouth.—*Thomas Whittles*, Rochdale, Lancashire, out of business, Nov. 8 at 12, County Court of Lancashire, at Rochdale.—*Robert Turner* the younger, Highburton, Kirkburton, Yorkshire, weaver, Nov. 8 at 10, County Court of Yorkshire, at Huddersfield.—*Michael Alman*, Bristol, attorney, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.—*John Crates*, Bristol, beer retailer, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.—*W. B. Parker*, Bristol, attorney at law, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.—*Adolphus F. Crocker*, Bristol, attorney's clerk, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 2 *at* 10, *before Mr. Commissioner* Law.

Charles Orton, Wilson-street, Barnsbury-park, Islington, Middlesex, bricklayer.—*Luke Berrington*, Cowley-street, Westminster, Middlesex.—*Samuel Hubble*, Blackheath-hill, Kent, out of employ.—*George Dunkley*, Queen's-row, Kennington-green, Surrey, out of business.

Nov. 3 *at* 11, *before Mr. Commissioner* Harris.

John Ragsdale, Croydon-st., Bryanstone-sq., Middlesex, ironmonger.—*John Ainslie*, Sydenham, Kent, draining engineer.—*Thos. W. Bird*, Clifton-road, New-cross, Deptford, Surrey, beer-shop keeper.—*Matthew Banyard*, Hardinge-st., Islington, Middlesex, dealer in pictures.—*Thos. B. Barnard*, Lincoln's-inn-fields, Middlesex, share broker.—*E. Phillips*, College-st., Camden-town, Middlesex, beer-shop keeper.—*Thomas Rees*, Wilmer-gardens, Kingsland-road, Shoreditch, Middlesex, tailor.—*James Pryke*, Chigwell, Essex, horse leader.—*Eliz. C. Parker*, Davies-street, Berkeley-square, Middlesex, milliner.—*Caroline Horseman*, Davies-st., Berkeley-sq., Middlesex, milliner.

Nov. 3 *at* 10, *before Mr. Commissioner* Law.

Samuel H. Schroder, St. George's-place, St. Anne's-road, Brixton, Surrey, plumber.—*Thomas Parkes*, Barking-road, Essex, engine smith.—*James Day*, Gloucester-place, Camden-town, Middlesex, carpenter.—*John Bertin*, Curtain-road, Shoreditch, Middlesex, chair manufacturer.

Nov. 5 *at* 10, *before Mr. Commissioner* Law.

John Sharpe the elder, Lowfield, near Dartford, Kent, bricklayer.—*Harriette Rowcliffe*, widow, Dorset-street, South Lambeth New-road, Surrey, in no trade.—*John Simons*, Crescent, Lower Edmonton, Middlesex, coal merchant.—*Henry Coster Dennington*, Middleton-cottage, Middleton-pl., Ball's-pond-road, Islington, Middlesex, gardener.—*John M'Cormick*, Church-street, Kensington, Middlesex, tailor.—*John Harris*, Rodney-buildings, New Kent-road, Surrey, lath-render.—*Richard Nelson Reeve*, High-street, Newington Butts, Surrey,

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town traveller.—*Thos. Annis*, Great Pulteney-street, Golden-square, Middlesex, tailor.—*Cornelius Edwin Fallon*, Tufton-street, Westminster, Middlesex, hatter.—*Charles Crouch*, Bedford New-road, Clapham-rise, Surrey, smith.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 2 *at* 11, *before Mr. Commissioner* HARRIS.

Alexander Gordon John Bishop, Duke-street, Manchester-square, Middlesex, clerk.—*Jones Woolf*, Liverpool-street, Bishopsgate-street Within, London, foreman to an orange and fruit dealer.—*John Beadell*, Aldersgate-street, London, out of business.—*George Rutherford*, Albany, Piccadilly, Middlesex.—*Thomas Wenham*, Queen's Prison, gentleman.

Adjourned Case.

Clarendon Hyde, Frederick-place, Rotherfield-st., Lower-road, Islington, Middlesex, apothecary.

Nov. 5 *at* 11, *before Mr. Commissioner* HARRIS.

James John Jennings Smith, Ann's-place, Albion-street, Rotherhithe, Surrey, operative engineer.—*Halcomb William Hatfield*, Battersea-square, Surrey, plumber.—*Philip Martin*, East Moulsey, Hampton Court, Middlesex, porter.—*Thomas Canute*, Lambeth-road, Surrey, commission agent.—*George Thomas Simpson*, East Wickham, Kent, surgeon.—*James Thos. Edwards*, Elizabeth-terrace, Chelsea, Middlesex, builder.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northamptonshire, at NORTHAMPTON, *Nov.* 7.

George Coy, Maidford, near Towcester, innkeeper.

At the County Court of Yorkshire, at SHEFFIELD, *Nov.* 7 *at* 12.

Alfred Tofield, Sheffield, scale-presser.

At the County Court of Essex, at CHELMSFORD, *Nov.* 6, *at* 12.

Solomon Smith, Thorrington, cattle dealer.—*James Baxter*, Tillingham, Dengie, blacksmith.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Nov* 3 *at* 10.

Thomas Grant, Dodbrooke, mate of the Candidate schooner.—*William Haythorn*, Plymouth, baker.

At the County Court of Gloucestershire, at BRISTOL, *Nov.* 7 *at* 11.

James Davis, Cathay, Bristol, butcher.

At the County Court of Sussex, at BRIGHTON, *Nov.* 6.

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The Jurist

No. 668—Vol. XIII. OCTOBER 27, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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LONDON, OCTOBER 27, 1849.

We understand that a doubt has been lately raised, before one of the Commissioners in Bankruptcy, whether any Commissioner has jurisdiction to adjudicate on a petition, where the trader has neither resided nor been in business for six months within his district; and the learned Commissioner is said so far to have encouraged the doubt, that he refused to give any opinion on the point, the facts in the case before him enabling him to decide without doing so, because the trader, although he had not been in business six months, had resided for six months. Now, the portions of the act (the 12 & 13 Vict. c. 106) on which this question was said to turn, in the argument of the case referred to, are the 65th and 89th sections, and the Schedule (M.) annexed to the act. The 65th section declares generally what persons are to be deemed traders liable to become bankrupt, and that section says nothing about the period of either the residence or the trading of such persons. The 89th directs that proceedings to obtain adjudication of bankruptcy shall be by petition, such petition, if presented by a creditor, to be in the form specified in the Schedule (M.), and if presented by a trader, in the form specified in the Schedule (O.); and that, from and after the filing of the petition, the Court shall have power &c. On looking to the Schedules (M.) and (O.), it will be seen that they both run in this form:—"Sheweth, that ——, being a trader, and having resided [*or* "carried on business," *as the case may be*] for six calendar months next preceding the date of this petition within the district of this honourable court;" both of the forms particularly specifying six months of residence or trading. If the matter rested here, there might perhaps be considerable doubt, because the forms given in the schedules are not mere forms, but embody substantial statements; and yet it could never have been intended, that, if a trader had never resided nor carried on business for six months in any one district, he should not be liable to become bankrupt. But the 90th section, which seems to have been overlooked in the case to which we refer, appears to remove any solid ground for doubt. By that section it is enacted, "that every petition for adjudication of bankruptcy against or by any trader liable to become bankrupt shall be filed and prosecuted in the court within the district of which such trader shall have resided or carried on business for six months next immediately preceding the time of filing such petition, except where otherwise in this act specially provided: provided always, that the senior commissioner shall have power, whenever he may deem it expedient, to order any petition against or by any trader to be prosecuted in any district, with or without reference to the district in which the trader shall have resided or carried on business, or to consolidate the proceedings, or any part thereof, under two or more petitions for adjudication of bankruptcy, or to impound any petition for adjudication of bankruptcy, and the proceedings thereunder, or any part thereof, upon such terms as the senior commissioner shall think fit, or to transfer any petition for adjudication of bankruptcy, and the proceedings thereunder, and the prosecution or the further prosecution thereof, from the court in any one district to the court in any other district, and the court to which any such transfer shall be made may remove the official assignee, and appoint a new official assignee to any such bankruptcy; and any such order by the senior commissioner may be in such of the forms contained in the Schedules (P.), (Q.), or (R.) to this

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act annexed as may be adapted to the case, or to the like effect."

Now, it seems to us, that this section makes it impossible to contend, that the six months mentioned in the Schedules (M.) and (O.) are intended to be a condition affecting the liability of a trader to be made a bankrupt, and shews that they only relate to the jurisdiction in which it shall be primarily proper to prosecute the petition, if a trader has resided or traded for six months. If the act meant that all the terms of the forms in the schedules should be strictly complied with, it would be impossible for the senior commissioner ever to exercise the power given to him by the 90th section, of directing a petition to be prosecuted in any other district than that in which the bankrupt had resided or carried on business. For, as the form prescribed, states that the bankrupt has resided or carried on business in the district of the court in which it is filed, it is obvious that the allegation would be untrue if the petition were filed in any other court, and consequently the senior commissioner could not, by any possibility, exercise the part of his jurisdiction referred to. He might, it is true, transfer a petition already filed in one court, under the power given to him in the latter part of the 90th section; but it is plain, that the act, by giving him power first to order any petition to be prosecuted in any district, and secondly to remove any petition from one court to another, meant to give him power to direct where proceedings should be originally commenced, as well as power to change their locality after their initiation. Then, if that is so, what is there in the act to shew that six months' trading are requisite for bankruptcy, or to shew that the Schedule (M.) and the 90th section meant anything more, with respect to the period of six months, than that, if a trader has resided six months or traded six months in a particular district, there, and not elsewhere, his bankruptcy shall be prosecuted, unless the senior commissioner shall otherwise order? We should have thought, that, independently of the 90th section of the act, this would be its construction, because no section in the body of the act limits, by naming any particular time, the generality of the 69th section; and, such a limitation being in itself very unreasonable, it would be contrary to the general order of construction to convert a form into a substantive provision repugnant to the general spirit of the body of an act. But, however the case might be if the 90th section did not exist, looking not only at the effect which we have pointed out, as flowing from such a construction of the schedule upon the 90th section, and looking also at the peculiar wording of the power given to the senior commissioner, from which is excluded all mention of any particular term of residence or trading as necessary for the foundation of a petition, we cannot but think that there is no ground for the doubt that has been suggested. We apprehend that the true construction of the statute is, that if a trader has resided or traded for six months in any particular district, primarily a petition against or by him should be prosecuted before the commissioner in whose district he has so resided or carried on business. If he has not either carried on business or resided in any one district for six months, then it may be a question whether the senior commissioner alone has power to direct where the proceedings are to take place, or whether the petition may be prosecuted before any commissioner. We should think that any court will have jurisdiction, because we apprehend, that, as regards the time mentioned in the 90th section and in the schedules, all that is intended is, that, if a trader has traded or resided six months in a district, his petition is to be prosecuted in that district; and nothing being said about what is to be done if he has neither traded nor resided for six months in any one district, then, in such a case, no particular jurisdiction being fixed, any commissioner would have jurisdiction.

Review.

The Equitable Jurisdiction of the Court of Chancery. Vol. 2. Comprising Equitable Estates and Interests, their Nature, Qualities, and Incidents. In which are incorporated, so far as relates to those Subjects, the Substance of "Maddock's Treatise on the Principles and Practice of the Court of Chancery." By GEORGE SPENCE, *Esq., One of her Majesty's Counsel. Roy. 8vo. Pp.* 1102. [*Stevens & Norton.*]

Five years have elapsed since we congratulated the Profession on the partial performance, by a gentleman of so much learning and experience as Mr. Spence, of the arduous task of tracing the history and expounding the principles and details of the equitable jurisdiction of the Court of Chancery, and we are quite sure, from the evidence presented by the present volume, that those years have not been idly spent by its author. In the former volume (which, like the present one, may be considered as complete in itself) is contained a history of the rise, progress, and final establishment of the various heads of equitable jurisprudence—a work of some extent antiquarian, but also essentially institutional in its character—in which Mr. Spence has applied to the doctrines of equity (though in greater detail) the same method of exposition by which Blackstone so successfully elucidated the mysteries of real-property law.

The second volume, more bulky than its predecessor, is wholly devoted to the existing principles and rules of equity jurisdiction, discussed in detail under the following heads, which, though they express perfectly well the methodical and scientific view which Mr. Spence takes of his entire subject, give a very inadequate idea of the multifarious contents of the chapters so intitled. But for practical purposes the subheads in the table of contents, and the index, furnish a sufficient guide to the ample stores of information contained in the book:—

Chap. 1. General view of equitable estates and interests created by way of express declaration. (Express trusts; office of trustee; rights of cestui que trust; powers in the nature of trusts, &c.)

Chap. 2. The doctrine in regard to remoteness.

Chap. 3. Of executory trusts.

Chap. 4. Limitations of personal estate in respect of the claims of children and other descendants, and the incidental doctrines relating to such limitations.

Chap. 5. Of trusts for accumulation; the Thellusson Act, its construction and operation; of maintenance out of rents or interest directed to be accumulated, and incidentally of maintenance out of defined and contingent legacies; liabilities of trustees under trusts to accumulate.

Chap. 6. Trusts by implication, presumption, and construction of law, where fraud or public policy does not form the main ingredient in the decision. (Resulting trusts; purchases in the names of children, &c.; resulting trusts for heir or next of kin; conversion of real estate into personal, and vice versâ; claim of volunteers, &c.)

Chap. 7. Of the trusts which are usually introduced into wills and settlements. (Charge of debts on real estate; equitable assets; charge of legacies; exoneration of personalty, &c.; trust-deeds for payment of debts; sales by trustees for payment of debts, &c.; portions, &c.; provisions for maintenance, &c.; trusts for mar-

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ried women; separate estate; restraint on alienation; settlements of chattels; trusts for renewal; rights and duties of tenant for life; election, satisfaction, and performance, &c.)

Chap. 8. On mortgages and liens. (Rights, priorities, and remedies of mortgagees and other incumbrancers; marshalling assets, &c.)

Chap. 9. Equitable interests arising from assignments of choses en action, possibilities, and contingent interests; assignments of such interests, and of rights of action; maintenance.

Chap. 10. Of the transfer of equitable estates and interests, and contingent interests and possibilities, by conveyance and assignment and declaration of trust, and of contracts and provisoes as regards such interests, and of the effect of want of consideration or of valuable consideration.

Chap. 11. Of the duties and liabilities of trustees, and some other matters connected with their office.

While Mr. Spence has brought to the performance of his task the resources and stores of his own experience and learning, he has wisely made the best use of his energies, by reserving them for the elucidation of the least explained parts of his subject, economising his strength, and seeking assistance wherever it could be obtained from the best text-writers of the day, not, however, copying them servilely, but using them as pioneers and indicators, and always most fairly acknowledging his obligations *in loco*. In addition to these casual intimations, he has given in his preface the following general acknowledgment:—

"It is proper that I should here acknowledge the 'obligations which I am under to the authors whose 'works I have principally consulted in the composition 'of this volume. First, I must mention Mr. Lewin's 'work on Trustees*, which I consider to be a model for 'a treatise. Next, Mr. Hill's work on Trusts, in which 'most of the authorities on that subject are to be found, 'very judiciously arranged. On the subject of mort-'gages I have derived the greatest assistance from the 'ample stores contained in Mr. Jarman's treatise, in 'the fifth volume of his edition of Bythewood's Con-'veyancing, with the valuable additions of Mr. Sweet; 'and from Mr. Coote's well-known work on the same 'subject. I need scarcely say, that on all occasions 'where anything relating to the subject under con-'sideration was to be found in the works of Sir E. 'Sugden, I have resorted to them, and always with 'the greatest advantage. My obligations to Mr. Samuel 'Miller, and to Mr. Hargrave and other writers whose 'works I have consulted, are acknowledged in their 'proper place. It is only where the apparently un-'settled state of the law, or the difficulty of the sub-'ject, appeared to require it, that I have entered into 'any lengthened details, and yet the bulk of the work 'has been by this means increased far beyond my ex-'pectation. . . . . The delay in the publication of the 'volume has, in fact, been productive of advantage, 'for in the mean time some important points of law 'have been settled; and, above all, Sir Edward Sugden's 'important work on 'The Law of Property, as ad-'ministered by the House of Lords,' has been published, 'so that I have had an opportunity of referring to this 'valuable addition to our legal stores."

After all obligations are acknowledged and allowed for, there remains a vast amount of valuable information, both theoretical and practical, upon topics not to be found in any of the recent treatises, which must be carried to the sole credit of Mr. Spence's own original and laborious investigations; and from this results the peculiar character of the book, that it is at once trite and recherché, containing all the stock information on subjects within its scope which may be found in the current text-books, and superadded to these the results of an experienced lawyer's researches in neglected paths, and resumés of or criticisms (where criticism is called for) on the most recent decisions, doctrines, and innovations of the Court of Chancery. A more dense mass of living law, available alike for study, reference, and practice, has seldom been presented to the Profession.

We have only space for a single extract, the subject being a doctrine but recently settled, if, indeed, it can yet be considered as settled—the conditions to the validity of voluntary assignments and transfers of equitable interests and of choses en action:—

"On a review of these authorities, as regards equit-'able estates and interests, all of them seem to agree 'in the general proposition, that if the transaction be 'complete, whether as an assignment or as a declara-'tion of trust, the party is bound, and by consequence 'so are his representatives; but what particular acts 'are necessary to make the transaction complete can-'not be extracted with precision as applicable to any 'particular case; it can only be said, generally, that 'nothing must remain to be done to complete the pur-'pose which the party has in view, and that purpose 'must be the complete divesting of the interest which 'is intended to be transferred. If, as it has been said, 'what has been done is equivalent to a transfer of the 'legal interest, (*Collinson* v. *Patrick*, 2 Kee. 123; but 'see *Beatson* v. *Beatson*, 12 Sim. 281, supra), that will be 'sufficient as regards choses en action. This much may 'perhaps be stated to be clear—that if a person, with a 'view to confer the beneficial interest in a chose en 'action, in which he has the legal interest, on another, 'makes an assignment in writing, particularly if by 'deed, and delivers the assignment and the security 'to the donee, or to a trustee for him, shewing an in-'tention to put both the one and the other, and con-'sequently the debt, out of his control, and also gives 'notice to the debtor, so as to make the debtor a quasi 'trustee for the donee, then the transaction is complete 'and binding, and the donor becomes a trustee of the 'legal interest, (which must of course remain in him), 'for the donee. A clear and explicit verbal declaration, 'accompanied by the delivery of the securities, and 'notice, would, it is presumed, be equivalent to an 'assignment in writing. But, in cases not embracing 'all these ingredients, the authorities are not uniform; 'and particularly there is, as above mentioned, au-'thority (*Fortescue* v. *Barnett*) for saying, that such 'transaction may be complete if by deed, although no 'notice should have been given to the debtor, or person 'from whom the money is to be recovered.

"In the above-cited case of *Ward* v. *Audland* the 'several authorities before adverted to were reviewed 'by Lord Langdale. His Lordship endeavours to re-'concile the authorities, as I understand his judgment, 'by holding, that where a person executes any instru-'ment, even a deed, which purports to be an *assign-'ment of property* which is not assignable—for instance, 'the money due on a policy of insurance—without 'doing that which amounts to a quasi delivery, namely, 'giving notice to the debtor, or person to pay, no title 'will pass to the donee, for no title passes which is 'available at law and in equity. All that the Court 'could do would be to declare that the donor was 'trustee of the money for the donee, which would be 'contrary to his intent, which was to pass all his 'interest, not to make himself a trustee.

"If this is to be considered as the rule, it is at least 'intelligible, and capable of application. In principle, 'however, the same doctrine might be held to apply to

* "Mr. Lewin, with a liberality in which a person of esta-'blished reputation can afford to indulge, placed in my 'hands his own copy, with his MS. additions; but, as they 'were made with a view to a new edition, I forbore to look 'into them."

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'the case where notice has been given to the person to 'pay, namely, to the debtor, or insurance company; 'for still the donor's name must be used to recover the 'money, and so far, therefore, he must be treated as a 'trustee.

"Where the donor assigns to the donee his *interest* 'in or the right to recover the money, as such a form 'of assignment involves the right to use the donor's 'name to recover the money, then Lord Langdale's 'objection will not apply; for when the beneficial interest only of the party is assigned, it is not contrary 'to the apparent intent that he should be a trustee; 'and it is possible to contend, on the authority of '*Blakely* v. *Brady*, that, where the assignment is of 'the donor's interest only, and of *Fortescue* v. *Barnett*, 'where the assignment embraces the security and also 'the donor's interest in the debt and security, the 'transaction is complete and binding if it be by deed; 'but not if it be only by writing signed but not sealed, 'as in *Edwards* v. *Jones*—at least, according to Lord 'Plunkett's interpretation of the case. Whether this 'be a satisfactory state of the law or not, is, of course, 'not the question, if the authorities have so settled the 'law.

"So where the subject of a gift is vested in a trustee, 'where, for instance, it is a legacy or share of a resi- 'due, as in *Peter* v. *Espinasse*, or a reversionary interest 'in a sum of stock, as in *Sloane* v. *Cadogan*, Lord Lang- 'dale's objection will not apply; for it is not in any 'way contrary to the ostensible intention to contend, 'that such an assignment converts the trustee of the 'donor into a trustee for the donee, or to assimilate it 'to an express declaration that the trustee should be a 'trustee for the donee. To avoid the authority of those 'cases, it must be contended, as I understand the Vice- 'Chancellor of England actually does contend, that an 'assignment of an equitable interest, such as was the 'subject of the assignment in each of those cases, can 'only amount to a contract.

"From the dicta in the judgment of the Vice- 'Chancellor Wigram in *Meek* v. *Kettlewell*, after 'stated, it might seem that in cases of the latter de- 'scription there are yet two other requisites that may 'be deemed necessary in order to make an assignment 'of such an interest effectual, namely, notice of the 'assignment to the trustee, and his acceptance; and 'also, where the subject is of such a nature as to make 'it practicable, that some act should be done in affirm- 'ance of the donee's title, as payment of interest to 'him by the trustee: but to hold that these are re- 'quisites would, contrary to the ordinary principle, 'put it in the power of the trustee to determine whe- 'ther the act should be binding or not. However, the 'cases put by the learned judge are only, as I conceive, 'intended as instances of what would probably be con- 'sidered as effectual transfers.

"It will be remembered, that where the transaction 'is such that the donor, having some interest that is 'capable of legal transfer, clearly intends to part with 'the whole of his interest, so that the donee shall stand 'precisely in his situation, and the instrument which 'he signs or executes does not amount to a transfer, 'the transaction is not incomplete merely, it is abor- 'tive. The Court cannot act upon the donor in the 'character of a trustee, for that would be contrary to 'the intention: if it be anything, it is a contract; and 'when once the transaction is reduced to that, its com- 'pletion cannot be enforced either against himself or 'against his representatives, unless there be a con- 'sideration. On the whole, it appears that the only 'sure way short of a legal transfer, where that is prac- 'ticable, of effecting a voluntary transfer to a stranger 'in any of these cases, is by the party entitled signing 'a declaration, (a deed does not appear to be necessary), 'declaring a trust in favour of the intended donee."

4

Court Papers.

COMMON-LAW CAUSE LISTS, MICHAELMAS TERM, 1849.

Court of Queen's Bench.

[In all cases to rescind Orders made by a Vacation Judge at Chambers, application must be made to the Court on or before the second day of term.]

NEW TRIALS

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FOR ARGUMENT.

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,, Reg. *v.* Betts
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Durham—Humphries *v.* Brogden
York—Livingstone *v.* Whiting
Liv'pool—Manchester, Sheffield, and Lincolnshire Railway Co. *v.* Blinkhorne
Essex—Doe *d.* Davenish *v.* Moffatt
,, Leary *v.* Patrick
Sussex—Hurst *v.* Hurst
,, Gates *v.* Gosden
Surrey—Dimes *v.* Petley
Worcest.—Phillpotts & ors. *v.* Evers
Stafford—Banks *v.* Baldwin
,, Doe *d.* Sayer *v.* Hatton
Salop—Griffiths *v.* Marcy
Monmouth—Williams & ors. *v.* James

Tried during Trinity Term, 1849.

Midd.—Page *v.* Moore
,, Johnson *v.* Clark
,, Goodman *v.* Pocock

SPECIAL CASES AND DEMURRERS

FOR MICHAELMAS TERM, 1849.

Those marked thus * are Special Cases—the rest are Demurrers.

STANDING FOR JUDGMENT.

*Russell *v.* Phillips
Duke of Rutland *v.* Bagshaw

FOR ARGUMENT.

Morris *v.* Duke of Beaufort (stands over by consent)
*Doe *d.* Payne *v.* Plyer (part heard)
Smith & an. *v.* Alexander
Small & ors. *v.* Gibson
Hawley *v.* Knight & an.
Milner *v.* Janes
*Wilson *v.* Eden, Bart.
Marson & an. *v.* Lund
Flockton & ors. *v.* Hall & ors.
Dowdall *v.* Hallett & ors.
Same *v.* Same
Same *v.* Same
Same *v.* Same
Ryan *v.* Giles
Ricketts *v.* Loftus
*Evelyn *v.* Worsfold
*Steele *v.* Hoe
Dewar & an. *v.* Hallett & ors.
Same *v.* Whittam & ors.
Same *v.* Hatfield & ors.
Palmer *v.* Welch

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*Huntley & ors. *v.* Pinto & an.
*Houlden *v.* Smith
*Bunter & an. *v.* Cresswell
Whitmore & ors. *v.* Hall & an.
Armitage *v.* Insole & an.
Thompson *v.* Ingham & an.
Meyrick & an. *v.* Anderson
Ghislin *v.* Deen
Tull *v.* Tull
Chrisp *v.* Atwell
*Wray *v.* Chapman & an.
*Bittlestone & ors. *v.* Eastern Counties Railway Co.
Adams *v.* Andrews
Stronghill *v.* Buck
Cook *v.* Field
*Knight & ors. *v.* Faith & an.
*Toller *v.* Attwood
Tims & an. *v.* Donovan
Meyer & an. *v.* Cockburn
Morris *v.* Walker
Bennett and others *v.* Batten and others
Barnes & an. *v.* Keane
*West Cornwall Railway Co. *v.* Mowatt
Staunton & an. *v.* Wood
Passenger *v.* Measam
Pollett *v.* Chesterton
Reg. *v.* Bishop of Exeter
Boyce *v.* Webb
Birkenhead, Lancashire, and Cheshire Junction Railway Co. *v.* Chadwick
Simpson *v.* Simpson
*Sanderson & an. *v.* Dobson & ors.
Steer *v.* Bowerman
Hutchinson *v.* North-western Railway Co.
Holmes & an. *v.* Bromfield
Chabot *v.* Lord Morpeth & ors.
Valpy & an. *v.* Oakeley
Blackford *v.* Hill
Burley *v.* Dobson
*Forster *v.* Hoggart & an.
Chrisp *v.* Atwell
Keyse *v.* Powell

ENLARGED RULES

FOR MICHAELMAS TERM, 1849.

Those marked thus * are to be heard in the Bail Court.

First Day.

*Evans & an. *v.* Bowen & ors.
*In re Phillips *v.* Powell
In re Ross *v.* York, Newcastle, and Berwick Railway Co.
In re Daniel
*In re Pidsley *v.* French
Brough *v.* Eisenberg
Reg. *v.* Aberdare Canal Co.

Second Day.

Reg. *v.* Tithe Commissioners
*Same *v.* Lincoln Water Works Co.
*Same *v.* Hill

CROWN PAPER, MICHAELMAS TERM, 1849.

Derbyshire.... Reg. *v.* Inhabitants of All Saints.
Middlesex.... —— Inhabs. of Aston, near Birmingham.
Cornwall..... —— Inhabitants of Crowan.
Lincolnshire .. —— J. Perkins.
Lancashire.... —— Inhabitants of Wigan.
Cornwall..... —— Inhabitants of Bodmin.
Surrey..... —— Inh. of St. Pancras (with Lambeth).
Lancashire.... —— Inhabitants of Wolverhampton.
Same..... —— Inhabitants of Spotland.
Surrey..... —— London, Brighton, and South-coast Railway Company.
Lancashire.... —— Inhabs. of Preston (with Roeburndale)
Same..... —— Same (with Elswick).
Kent..... —— Inhabitants of Chatham.
Norfolk..... —— Inhabitants of Chedgrave.
Carnarvon.... —— Guardians of Carnarvon Union.
Surrey..... —— Inhabitants of Camberwell.
Norwich..... —— Inhabs. of St. Mary, Bungay, Suffolk.
Wiltshire .... —— T. Holborow.
Lancashire.... —— Inhabitants of Over.
Glamorganshire —— Aberdare Canal Company.
London..... —— G. Stacy.
Hants..... —— Inhabitants of Basingstoke.
Middlesex .... —— Inhabitants of St. Giles-in-the-Fields.
Westminster .. —— William Brent.
Westmoreland —— T. H. Hobson.
Buckinghamsh. —— Edwards.
Yorkshire .... —— Inhabitants of Dalton.
Same..... —— Inhabitants of East Ardley.
Cumberland .. —— Maryport and Carlisle Railway Co.
Devonshire.... —— Henry Worsley & ors.
Flintshire .... —— Inhabitants of Rhyddlan.
Yorkshire .... —— Leeds & Bradford Railway Company.
Cumberland .. —— Caledonian Railway Company.

Court of Common Pleas.

NEW TRIALS.

MICHAELMAS TERM, 1848.

Midd.—Morgan *v.* Field
" Newton *v.* Chaplin
Midd.—Russell *v.* Tubb
" Smith *v.* Pritchard
Lond.—Monaghan *v.* Walker
Lond.—Fitch *v.* Martyr
" Howard *v.* Mull
" Smith *v.* Hull Glass Co.
" Moss *v.* Smith
" Stebbing *v.* Spicer
Surrey—Hamilton *v.* Cochran
Bristol—Acraman *v.* Morris
" Lewis *v.* Lloyd
Glam.—Doe *d.* Rogers *v.* Price
Oxon—Hicks *v.* Gregory

HILARY TERM, 1849.

Midd.—West *v.* Baxendale
Lond.—Barnes *v.* Troup
Lond.—Warren *v.* Peabody
" Vines *v.* Arnold

EASTER TERM, 1849.

Midd.—Graham *v.* Gould
Lond.—Gillingham *v.* Stuart
" Stansfield *v.* Gladstane
" Kincaid *v.* Willis
" Same *v.* Same
Berks.—Newbury Gas & Coke Co. *v.* Benny
Camb.—Crisp *v.* White
Bucks—Tindal *v.* Deering
Surrey—Vander Donckt *v.* Thelluson
Sussex—Turner *v.* Kenworthy
Yorksh.—Doe *d.* Strickland *v.* Strickland

TRINITY TERM, 1849.

Lond.—Dimes *v.* Wright
Midd.—Blake *v.* Nixson
" Lord *v.* Hall
Lond.—Cook *v.* Gawen

ENLARGED RULE.

Sixth Day.

In the Matter of the Arbitration between James Stroud and the East and West India Docks and Birmingham Junction Railway Company.

DEMURRER PAPER.

Wednesday, Nov. 7.

Robinson *v.* Marquis of Bristol
Westrop *v.* Solomon
Fagan *v.* Harrison
Baniven Iron Co. *v.* Barnett
Edwards *v.* Jevons
Johnson *v.* Few
Gibbons *v.* Vouillon
Greene *v.* Reece
Porcher *v.* Gardner
Bell *v.* Bidgood
Johns *v.* Dickinson
Doe *d.* Camon *v.* Rucastle
Bell *v.* Cory
Jones *v.* How
Sterry *v.* Clifton
Gooch *v.* Johnson
Phillips *v.* Pickford
Navone *v.* Hadden
Temple *v.* Sleigh
Storie *v.* Bishop of Winchester
Christmas *v.* Beecham
Williams *v.* Samuel
Cunliffe *v.* Ley
Anderson *v.* Coventry
In re Foster
Hancock *v.* York, Newcastle, and Berwick Railway Co.
Harrison *v.* Round
Tassell *v.* Cooper
Same *v.* Same
Overton *v.* Harvey

CUR. ADV. VULT.

Morgan *v.* Earl of Abergavenny
Phillips *v.* Lewis
Fitzgerald *v.* Fitzgerald
Russell *v.* Briant
Croll *v.* Edge
Munroe *v.* Bordier
Sands *v.* Clarke
Thompson *v.* Wesleyan Newspaper Association
Same *v.* Same
Barnes *v.* Ward
Lewis *v.* Campbell
Somerville *v.* Hawkins
Jones *v.* Broadhurst
Devaux *v.* Conolly
In the Matter of Keighley *v.* Goodman
Harcourt *v.* Dickson
Cattlin *v.* Hills
Heyhoe *v.* Burge
Morse *v.* Same

Court of Exchequer.

SITTINGS—MICHAELMAS TERM, 1849.

		Banc.	*Nisi Prius.*
Friday .... *Nov.*	2	.....	.....
Saturday	3	.....	Midd. 1st Sitting
Monday	5	.....	.....
Tuesday	6	.....	.....
Wednesday....	7	Demurrers	.....
Thursday	8	.....	.....
Friday	9	Special Cases. Lord Mayor sworn	.....
Saturday.....	10	Crown Cases	London 1st Sitting
Monday	12	Demurrers. Sheriffs nominated	Midd. 2nd Sitting
Tuesday.....	13	Errors	.....
Wednesday....	14	Special Cases	.....
Thursday	15	.....	.....
Friday.....	16	Demurrers	.....
Saturday.....	17	.....	.....
Monday	19	Special Cases	London 2nd Sitting

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	Banco.	*Nisi Prius.*
Tuesday..... 20	.....	Midd. 3rd Sitting
Wednesday.... 21	Demurrers	.....
Thursday..... 22	.....	.....
Friday..... 23	.....	.....
Saturday..... 24	.....	.....
Monday..... 26	.....	.....

NEW TRIALS.

FOR JUDGMENT.

Moved Mich. Term, 1848.

Stafford—Sharrod *v.* London and North-western Railway Co.

Moved Easter Term, 1849.

Wor'ster—Brettell *v.* Williams
,, Same *v.* Same

FOR ARGUMENT.

Moved Easter Term, 1847.

Lond.—Ralli *v.* Denistown
York—Graburn *v.* Horberry
,, Same *v.* Everett
Newcastle—Ness *v.* Richardson
,, Same *v.* Glaholm

Moved Easter Term, 1849.

Midd.—Wakley *v.* Cooke
,, Scarisbrick *v.* Kennard
Lond.—Woolfe *v.* Cobbold
,, Cobbett *v.* Grey
,, Grapes *v.* Bunney
Maidstone—Midland Great Western Railw. Co. of Ireland *v.* Farquhar
,, Same *v.* Masterman
Liv'pool—Wollheim *v.* Paulet
,, Paulet *v.* Wollheim

Moved Hil. Term, 1849, *and revived and restored in Trinity Term*, 1849.

Midd.—Hawkins *v.* Harwood
,, Brook *v.* Rawell
Lond.—Dalton *v.* Bush

Moved Trinity Term, 1849.

Midd.—Cherry *v.* Hemming

Moved after the 4th Day of Trinity Term, 1849.

Midd.—Mayhew *v.* Tuck
,, Same *v.* Cooze
,, Howe *v.* Pike
,, Vogel *v.* Rowe
Lond.—Sleigh *v.* Sleigh

SPECIAL PAPER.

SPECIAL CASES.

FOR JUDGMENT.

Re Willis (a bankrupt)

FOR ARGUMENT.

Bird *v.* Brown
Mortimer *v.* Hartley
Follett *v.* Moore
Blagrave *v.* Blagrave
Morrell *v.* Fisher
Beaufort *v.* Smith
Norman *v.* Thompson
Spence *v.* Montague
Freeman *v.* Whittaker

DEMURRERS.

FOR JUDGMENT.

Luccock *v.* Smith (heard May 2, 1849)

FOR ARGUMENT.

Cobbett *v.* Sir G. Grey (part heard June 4, 1849)
Waring *v.* Glover
Skelton *v.* Rushby
Shepherd *v.* Duncan
Dampia *v.* Thompson
Midland Great Western Railw. Co. of Ireland *v.* Evans
Webster *v.* Planche
Higginbottom *v.* Burge
Kempster *v.* Whitehouse
Howell *v.* Rodbard
Thompson *v.* Ayling

COMMON-LAW SITTINGS, IN AND AFTER MICHAELMAS TERM, 1849.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

1st sitting .. Saturday .. *Nov.* 3, and following days, at 11.
2nd sitting.. Wednesday .. 7, and subsequent days, at 11.
3rd sitting.. Friday ..... 23, at half-past 9 precisely (for undefended causes only).

After Term.—Tuesday, *Nov.* 27, at half-past 9.

A list of causes will be printed immediately; but on the uncontradicted statement of either side that a cause is too long to be tried in term, it will be withdrawn from such list, and a small number of completed and new causes will be put into the list day by day in their usual order.

LONDON.—*In Term.*

Sitting at 10, on Saturday, *Nov.* 24, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Wednesday, *Nov.* 28, to adjourn.

N. B.—The hours of attendance at the Marshal's Office of this Court will in future be from 11 till 5 during term and sittings, instead of from 11 to 2, and 6 to 8.

Court of Common Pleas.

In Term.

MIDDLESEX.	LONDON.
Wednesday ..... *Nov.* 7	Saturday ..... *Nov.* 10
Wednesday 14	Friday 16

After Term.

Tuesday ..... *Nov.* 27 | Wednesday ..... *Nov.* 28

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Wednesday, the 28th November, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The hours of attendance at the Marshal's Office during term, and sittings after term, will in future be from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Saturday .. *Nov.* 3	1st sitting, Saturday, *Nov.* 10
2nd sitting, Monday 12	2nd sitting, Monday 19
3rd sitting, Tuesday 20	

After Term.

Tuesday ..... *Nov.* 27 | Wednesday ..... *Nov.* 28 (To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

London Gazettes.

TUESDAY, OCTOBER 23.

BANKRUPTS.

CONSTANTINE WILLIAM DE BERNARDY, formerly of Leicester-square, Middlesex, and of Putney, Surrey, and afterwards of Paris, France, and now of Rider's Hotel, Salisbury-square, Fleet-street, London, bill broker, money scrivener, commission agent, dealer and chapman, Oct. 30 at 11, and Dec. 17 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Lawrance & Plews, Old Jewry-chambers, London.—Fiat dated Oct. 4.

THOMAS RICHBELL, Walton-cottage, Cold Harbour-lane, Brixton, Surrey, and Woolwich, Kent, rocket and shell manufacturer, Oct. 30 at 2, and Dec. 1 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Hudson, 16, Finsbury-place South.—Petition dated Oct. 12.

SAMUEL LEGGATT, Norwich, innkeeper, Nov. 1 at 1, and Dec. 6 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Bailey, Norwich; Hudson & Co., 23, Bucklersbury.—Petition dated Oct. 16.

GEORGE SEDGWICK, Moorgate-st., London, stationer, dealer and chapman, Nov. 3 and Dec. 8, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Spyer, 30, Broad-street-buildings.—Petition dated Oct. 20.

HUGH GEORGE ASTLE, Margate, Isle of Thanet, Kent, toyman, tobacconist, dealer and chapman, Nov. 3 at half-past 12, and Dec. 8 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Neal, 5, Austin-friars.—Petition dated Oct. 22.

HENRY HARDY, Bradford, Yorkshire, tea dealer and grocer, Nov. 8 and Dec. 7 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Barr & Nelson, Leeds; Mathews, St. Mary-axe, London.—Petition dated Oct. 12.

JOHN ANGUS, Berwick-upon-Tweed, dealer in glass and china, dealer and chapman, Nov. 2 at half-past 10, and Dec. 6 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Chew, Manchester; Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne.—Fiat dated Oct. 4.

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MEETINGS.

Martin Luther Pritchard and *Robert Norris Dale*, Liverpool, stockbrokers, Nov. 5 at half-past 1, Court of Bankruptcy, London, pr. d.—*Edward Gibson*, St. Alban's, Hertfordshire, banker, Nov. 6 at 11, Court of Bankruptcy, London, pr. d.—*Francis Adamson*, Bond-court, Walbrook, London, merchant, Nov. 3 at 12, Court of Bankruptcy, London, pr. d.—*Joseph Hodson*, Whaplode, Lincolnshire, draper, Nov. 2 at 11, Court of Bankruptcy, London, last ex.—*Richard Smithies*, Aighton Bailey and Chaighley, Lancashire, timber dealer, Nov. 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Nov. 14 at 12, div.—*Abraham Whitaker*, Hulme and Salford, Manchester, licensed victualler, Nov. 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Nov. 13 at 12, fin. div.—*Samuel Mann*, Kingston-upon-Hull, merchant, Dec. 5 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Dec. 12 at half-past 12, div.—*James Dove*, Darlington, Durham, tanner, Nov. 13 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Nov. 15 at 12, div.—*Anthony Harrison*, Friar's Goose Alkali Works, near Gateshead, Durham, alkali manufacturer, Nov. 13 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Matthew Davison*, Newcastle-upon-Tyne, draper, Nov. 15 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Martin Brown Bell*, Newcastle-upon-Tyne, victualler, Nov. 13 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Nov. 15 at 1, div.—*John Murray* and *Wm. Brown*, Liverpool, millwrights, Nov. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Blake* and *James Blake*, Liverpool, and Dublin, soap manufacturers, Nov. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Hipkins*, Egremont, Cheshire, coal dealer, Nov. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Cecil*, *Thomas Dennison*, *James Benson*, and *Michael Dennison*, Liverpool, merchants, Nov. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Lawson Bell*, Liverpool, linendraper, Nov. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Hugh Evans* the younger, Peny-gloddfu, Llanllwchaiarn, Montgomeryshire, grocer, Nov. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Ayres*, Liverpool, jeweller, Nov. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Lewis Evans*, Liverpool, butcher, Nov. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. Clarkson*, Liverpool, painter, Nov. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Francis Blair Henderson*, Toxteth-park, Lancashire, ironmonger, Nov. 5 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Morfitt* the younger, Leeds, Yorkshire, flax spinner, Nov. 15 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Ratcliffe*, Derby, wine merchant, Nov. 9 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*Wm. Matthews Hill*, Charlton-place, Islington, Middlesex, builder, Nov. 13 at 12, Court of Bankruptcy, London, fin. div.—*Felix Whitmore*, Lambeth, Surrey, brewer, Nov. 13 at 11, Court of Bankruptcy, London, div.—*Wm. Kuper*, Patent Wire-rope Works, Grand Surrey Canal, Camberwell, Surrey, wire-rope maker, Nov. 23 at 12, Court of Bankruptcy, London, div.—*Robt. Allison* and *Thos. Allison*, Dean-st., Soho, Middlesex, pianoforte manufacturers, Nov. 16 at 1, Court of Bankruptcy, London, div.—*Thomas Wyatt*, Oxford-ter., King's-rd., Chelsea, Middlesex, builder, Nov. 16 at half-past 2, Court of Bankruptcy, London, div.—*David Allan*, Coleman-street, Lothbury, London, merchant, Nov. 20 at 1, Court of Bankruptcy, London, div.—*Charles Lowe Swainson* and *John Birchwood*, Manchester, manufacturers, Nov. 13 at 12, District Court of Bankruptcy, Manchester, div.—*Thomas Metcalf*, North Shields, Northumberland, banker, Nov. 15 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*John Thompson Phipps*, Darlington, Durham, linendraper, Nov. 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*James Harshaw* and *William Askew*, Leeds, Yorkshire, cloth merchants, Nov. 16 at 11, District Court of Bankruptcy, Leeds, div.—*John Berry*, Liverpool, banker, Nov. 16 at 11, District Court of Bankruptcy, Liverpool, div.—*George Beale Brown*, Liverpool, commission merchant, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, div.—*Edward Pritchard*, Liverpool, wine merchant, Nov. 16 at 11, District Court of Bankruptcy, Liverpool, div.—*George Lofthouse Richardson*, Liverpool, cutler, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, div.—*Henry Clapham*, Liverpool, woollendraper, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, div.—*John Miller*, Liverpool, saddler, Nov. 16 at 11, District Court of Bankruptcy, Liverpool, div.—*Nathan Litherland*, Liverpool, merchant, Nov. 14 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Harry Farncombe Hodson, Romford, Essex, ironmonger, Nov. 14 at 1, Court of Bankruptcy, London.—*Saml. Durant*, Deptford, Kent, draper, Nov. 14 at 11, Court of Bankruptcy, London.—*Griffith Lewis*, Market-street, Oxford-street, Middlesex, plumber, Nov. 15 at 1, Court of Bankruptcy, London.—*Isaac Jones* and *Mary Browne*, High-row, Knightsbridge, Middlesex, lead merchants, Nov. 15 at 2, Court of Bankruptcy, London.—*Edward Munn*, Stone Farm, Beckenham, and Deptford Bridge, Kent, farmer, Nov. 13 at 11, Court of Bankruptcy, London.—*Thomas Wisking*, St. John-street, Brick-lane, Bethnal-green, Middlesex, timber merchant, Nov. 16 at 1, Court of Bankruptcy, London.—*William Bush*, Great Green-street, Kentish-town, Middlesex, builder, Nov. 14 at 1, Court of Bankruptcy, London.—*Robert Taylerson*, Felling Iron Works, Felling Shore, Durham, iron manufacturer, Nov. 13 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thomas Forshall*, Grove-house, Doddington, Kennington, Surrey, surgeon, Nov. 16 at 11, Court of Bankruptcy, London.—*Martin Brown Bell*, Newcastle-upon-Tyne, victualler, Nov. 15 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Steele*, Newcastle-upon-Tyne, innkeeper, Nov. 13 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Wm. Wilson*, Houghton-le-Spring, Durham, maltster, Nov. 15 at half past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Benj. Couch Stenlake*, Tavistock, Devonshire, clockmaker, Nov. 13 at 11, District Court of Bankruptcy, Exeter.—*Frederick Burt*, Plymouth, Devonshire, boarding-house keeper, Nov. 13 at 11, District Court of Bankruptcy, Exeter.—*William Dixon*, Manchester, ironmonger, Nov. 15 at 12, District Court of Bankruptcy, Manchester.—*John Turner*, Oldham, Lancashire, cotton spinner, Nov. 16 at 11, District Court of Bankruptcy, Manchester.—*James Stott*, Balladen, Lancashire, cotton spinner, Nov. 14 at 11, District Court of Bankruptcy, Manchester.

CERTIFICATES GRANTED.

Jasper Fletcher, Manchester, auctioneer, (unless an appeal be duly entered).—*James Smith*, Smith's-buildings, Mansell-street, Whitechapel, Middlesex, commission agent, (unless an appeal be duly entered).—*Edward Mumford*, Great Maplestead, Essex, miller, (unless an appeal be duly entered).—*Wm. Reeves*, Horseferry-road, Limehouse, Middlesex, live stock dealer, (unless an appeal be duly entered).—*Joseph Ellis*, Pontypool, Monmouthshire, dealer in wines, (unless an appeal be duly entered).—*Wm. Soden*, Myrtle-cottage, Barton-street, Gloucestershire, shipbroker, (unless an appeal be duly entered).—*Henry Armistead*, Barrowford, near Colne, Lancashire, cotton spinner, (unless cause be shewn to the contrary on or before the 13th Nov.)—*John Mayer*, Cheltenham, Gloucestershire, printer, (unless cause be shewn to the contrary on or before the 13th Nov.)

PARTNERSHIP DISSOLVED.

George William Finch, *James George Dobinson*, and *William Geare*, Lincoln's-inn-fields, Middlesex, attornies and solicitors, (under the firm of Finch, Dobinson, and Geare), so far as regards the retirement of the said *George William Finch* from the said partnership.

SCOTCH SEQUESTRATIONS.

Richard Wilson, Glasgow, stationer.—*James Bogle* and *James Russell*, Glasgow, grocers.

DECLARATIONS OF INSOLVENCY.

Robert William Lewis, Brentwood, Essex, attorney at law, Nov. 3 at 1, Court of Bankruptcy, London.—*Charles Henry Nicholls*, Nov. 6 at 10, County Court of Flintshire, at Mold.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Richard Carkeet Coulson, Penzance, Cornwall, dispenser of medicine, Nov. 13 at 10, County Court of Cornwall, at Penzance.—*Thomas Hales*, South Dean, Stockbury, Kent, wood

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dealer, Nov. 6 at 12, County Court of Kent, at Maidstone.—*Thomas Hemmin* the younger, Cheltenham, Gloucestershire, licensed victualler, Nov. 20 at 10, County Court of Gloucestershire, at Cheltenham.—*Rich. Harrison*, Wateringbury, Kent, wheelwright, Nov. 6 at 12, County Court of Kent, at Maidstone.—*William Knipe*, Scredington, near Sleaford, Lincolnshire, managing the business of a farmer, Nov. 16 at 11, County Court of Lincolnshire, at Sleaford.—*Thomas Threlfall Hough*, Liverpool, cabinet maker, Nov. 5 at 10, Liverpool District County Court, at Liverpool.—*Thomas Hill*, Liverpool, greengrocer, Nov. 5 at 10, Liverpool District County Court, at Liverpool.—*Robert Barnes*, King's Lynn, Norfolk, fruiterer, Nov. 10 at 4, County Court of Norfolk, at King's Lynn.—*Job Casteletti*, Leicester, out of business, Nov. 15 at 10, County Court of Leicestershire, at Leicester.—*William Whiteman Walden*, Wiggenhall St. Mary Magdalen, Norfolk, cowkeeper, Nov. 10 at 4, County Court of Norfolk, at King's Lynn.—*William Liddle*, Hawkhurst, Kent, farming labourer, Oct. 27 at 10, County Court of Kent, at Tenterden.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 6 *at* 11, *before Mr. Commissioner* HARRIS.

Lewis Franks, Union-row, Fulham-road, Middlesex, out of employment.—*Thomas Sargison*, Henry-street, Whitehorse-lane, Stepney, Middlesex, out of business.—*Francis Meades*, New Brentford, Middlesex, baker.—*Wm. Dungey* the elder, George-street, Fulham-road, Middlesex, tobacconist.—*Henry B. Vigurs*, Dartford, Kent, commercial clerk.—*Henry Thos. Lea*, Deptford, Kent, accountant.—*F. J. Griffiths*, Kingston New-town, Surrey, music master.—*Henry Alford*, Albert-terrace, Bayswater, Middlesex, clerk in the General Registrar-office, Somerset-house.—*Wm. Ayre*, Wardour-street, Westminster, Middlesex, tailor.—*John Lewis Levy*, Brick-lane, Bethnal-green, Middlesex, tobacco dealer.

Nov. 6 *at* 10, *before Mr. Commissioner* LAW.

John Rawlins, Squirese's-street, Bethnal-green, Middlesex, dealer in building materials.—*Henry Petre*, Albert-terrace Wharf, Caledonian-rd., Islington, Middlesex, paper stainer.—*John Anderson*, Bagnigge-wells-terrace, Bagnigge-wells-road, Middlesex, fruiterer.—*S. G. Harvey*, Euston-square, Middlesex, gentleman.—*George Dyson*, Queen-street, Hammersmith, Middlesex, and Austin-friars, London, late secretary to a mining company.—*Laurence Phillips*, Tottenham-court-road, Middlesex, working jeweller.—*Thomas S. Edwards*, Broadley-street, Boston-fields, Marylebone, and Princes-st., Lisson-grove, Middlesex, baker.—*Francis White*, Raven-st., Whitechapel-road, Middlesex, tailor.—*John A. Parry*, Pollan-street, St. George's-in-the-fields, Middlesex, coffee-house keeper.—*Wm. Cripps*, Seymour-villa, Fortis-green, Finchley, Middlesex, superannuated surveyor of her Majesty's Customs.

Nov. 7 *at* 11, *before the* CHIEF COMMISSIONER.

Francis Wheate, Grosvenor-street, Commercial-road East, Stepney, out of employ.—*James Margerison*, Blackfriars-rd., Surrey, oilman.—*Thomas Willoughby* the younger, Deptford, Kent, grocer.—*George Monk*, Deptford, Kent, painter.—*W. Carman*, Broad-street, Lambeth, Surrey, milkman.—*C. W. Wood*, Blackfriars-road, Surrey, barrister at law.—*H. Hoffke*, Admiral-terrace, Vauxhall-road, Middlesex, musician.—*John Watson*, Seymour-street, Euston-square, Middlesex, gunmaker.—*W. B. Davies*, Woolwich, Kent.

Nov. 7 *at* 10, *before Mr. Commissioner* LAW.

Mary Wright, East-street, Greenwich, Kent, baker.—*R. Scott*, Nelson's-fields, Merton, Surrey, omnibus conductor.—*Wm. Nightingale*, Nelson's-fields, Merton, Surrey, omnibus driver.—*Robert Price*, Clarence-street, Rotherhithe, Surrey, cabinet maker.

Nov. 8 *at* 11, *before the* CHIEF COMMISSIONER.

John Baker, Watling-street, London, gas fitter.—*Thomas Boots*, Watling-street, London, gas fitter.—*George F. Biggs*, Greenwich-road, Greenwich, Kent, gas fitter.—*Wm. M'Willson*, Charles-street, Back-road, St. George's-in-the-East, Middlesex, ginger-beer manufacturer.—*Mary Anne Davies*, Southwood-lane, Highgate, Middlesex, out of business.—*Harriet Davies*, Borough-road, Surrey, out of business.—*Thomas Boyde*, Heath-street, Commercial-road, Middlesex, painter.—*James Lapworth*, Cheshire-street, Bethnal-green, Middlesex, shopman to a grocer.—*R. C. Frogg*, Brick and Tile Fields, Isle of Dogs, Poplar, Middlesex, tile maker.—*Fred. G. Brazier*, Beresford-street, Walworth, Surrey, and Chancery-lane, London, law stationer.

Nov. 8 *at* 10, *before Mr. Commissioner* LAW.

Henry Gibson, Great Queen-street, Lincoln's-inn-fields, Middlesex, chemist.—*T. Hickling*, Stratford, Essex, butcher.—*Benj. Cuthbert*, Penny-fields, Poplar, Middlesex, clothier.—*Phineas Millinger*, Dorren's-row, Commercial-road East, Middlesex, feather manufacturer.

Saturday, Oct. 20.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Solomon Sequerra, Bury-street, St. Mary-axe, London, in no business, No. 60,817 T.; Charles Corben, assignee.—*T. Maynard*, Gloucester, out of business, No. 69,141 C.; Joseph Webb, assignee.—*Chas. Callen*, Newport, Monmouthshire, sailmaker, No. 71,516 C.; Thomas Templeman, assignee.—*T. Hodgson*, Leeds, Yorkshire, paper stainer, No. 71,557 C.; Samuel Phillips, assignee.—*James Stockbridge*, Fairlight, near Hastings, Sussex, provision dealer, No. 71,576 C.; Arthur Murray, assignee.—*John Fishwick*, Middlesbro', Yorkshire, mason, No. 71,596 C.; Richard Frost, assignee.—*Robert Sudlow*, Middlesbro'-on-Tees, Yorkshire, grocer, No. 71,597 C.; Richard Frost, assignee.

Saturday, Oct. 20.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Western, Caledonia-terrace, East India-road, Poplar, Middlesex, shipwright: in the Debtors Prison for London and Middlesex.—*Chas. Warry*, Jonson-place, Harrow-road, Paddington, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Wm. Patterson*, East-place, Chapel-street, Clerkenwell, Middlesex, coal dealer: in the Debtors Prison for London and Middlesex.—*Joseph Gatley*, Pump-row, Old-street-road, Middlesex, sawyer: in the Debtors Prison for London and Middlesex.—*G. Barham* the younger, Paradise-street, Lambeth, Surrey, waiter: in the Debtors Prison for London and Middlesex.—*John Cox*, Princes-st., Clifton-street, Finsbury, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*Geo. W. Wells*, Ashford-street, Hoxton Old-town, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—*D. Bowen*, Englefield-road, Kingsland-road, Middlesex, coal merchant: in the Queen's Prison.

(On Creditor's Petition).

Richard Pennefather, Tipperary, Ireland: in the Queen's Prison.

(On their own Petitions).

Francis Brown, Lytchett Minster, near Poole, Dorsetshire, farmer: in the Gaol of Dorchester.—*Wm. Sugget*, Stockton-on-Tees, Durham, publican: in the Gaol of Durham.—*Alex. Wilson*, Bishopwearmouth, Durham, manager to a publican: in the Gaol of Durham.—*Geo. W. Wheeler*, O'Connorville, Rickmansworth, Hertfordshire, agriculturalist: in the Gaol of Hertford.—*Aaron Fairest*, Sheffield, Yorkshire, cabinet-case maker: in the Gaol of Sheffield.—*William Thompson*, Monkwearmouth, Durham, coalfitter: in the Gaol of Durham.—*Jos. Whiteside*, Layton Rakes, near Blackpool, Lancashire, police officer: in the Gaol of Lancaster.—*T. Clement*, West Laithgate, Doncaster, Yorkshire, coachbuilder: in the Gaol of York.—*R. Herdman*, Chester-le-street, Durham, woollen-draper: in the Gaol of Durham.—*S. Jones*, Kirkdale, Liverpool, farmer: in the Gaol of Chester.—*J. Charles*, Mawgan, in Pyder, Cornwall, master mariner: in the Gaol of Bodmin.—*Thomas Langley*, Chalvey, Buckinghamshire, baker: in the Gaol of Aylesbury.—*George Mowbray*, Berry Edge, Durham, shoemaker: in the Gaol of Durham.—*Ann Turner*, widow, Great Hucklow, Hope, Derbyshire, farmer: in the Gaol of Derby.—*James Young*, Salcot, Essex, shipowner: in the Gaol of Springfield.—*Edward Bell*, Liverpool, out of business: in the Gaol of Lancaster.—*Joseph Holdsworth*, Cleckheaton, near Leeds, Yorkshire, cloth spinner: in the Gaol of York.—*Henry Murphy*, Feasegate, Yorkshire, civil engineer. in the

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Gaol of York.—*John Fieldhouse*, Bramley, near Leeds, Yorkshire, out of business: in the Gaol of York.—*Wm. Greaves*, Leeds, Yorkshire, commission agent: in the Gaol of York.—*Hen. Heaton*, Goodshaw Fold, near Rawtunstall, Lancashire, labourer: in the Gaol of Lancaster.—*James Lightowlers*, Northowram, near Halifax, Yorkshire, innkeeper: in the Gaol of York.—*Wm. Marshall*, Low Petergate, Yorkshire, tailor: in the Gaol of York.—*Michael Shannon*, Liverpool, provision dealer: in the Gaol of Lancaster.—*Wm. Tetley*, Westgate, Bradford, Yorkshire, overlooker: in the Gaol of York.—*Henry Wilkinson*, Habergham Eaves, near Burnley, Lancashire, foreman of a stone quarry: in the Gaol of Lancaster.—*Isaac Royse*, Manchester, grocer: in the Gaol of Lancaster.—*George Archer*, Liverpool, butcher: in the Gaol of Lancaster.—*John Williams*, Manchester, dealer in drapery goods: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 1 *at* 11, *before the* CHIEF COMMISSIONER.

John S. Starling, Middle Heath-lane, Croydon, Surrey, Custom-house clerk.

Nov. 6 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Vane, High-st., Poplar, Middlesex, carpenter.—*Wm. Dredge*, Mount Pleasant East, City-road, Hoxton, Middlesex, carpenter.—*Joseph James*, Stamford-hill, Middlesex, licensed victualler.—*Henry Burgess*, York-cottages, Leipsic-road, Camberwell, Surrey, builder.—*Robert C. Hussey*, Turner's-court, St. Martin's-lane, Middlesex, wine cooper.—*Robert W. Peacock*, Pearson-st., Kingsland-road, Middlesex, dealer in boots and shoes.—*George Bather*, Edmond-st., King's-cross, Middlesex, copper-plate engraver.

Adjourned.

Thos. C. Angell, Kennington-lane, Vauxhall, Surrey, liquid sugar refiner.

Nov. 7 *at* 10, *before Mr. Commissioner* PHILLIPS.

Joseph Sofe, Symons-st., Sloane-sq., Chelsea, Middlesex, leather cutter.—*Henry H. Hatch*, Windsor-terrace, Great Dover-road, Surrey, out of employ.—*Thomas Woodward*, Cottage-grove, West-st., Walworth, Surrey, miller.—*Thomas Davis*, Broad-st., Bloomsbury, Middlesex, assistant to a newsvender.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, *Nov.* 6.

John Blackburn the elder, Sydenham, Lewisham, minister of Claremont Chapel, Pentonville, Middlesex.—*Christopher John Keays*, Maidstone, lessee of fisheries on the river Shannon, Ireland.

At the County Court of Yorkshire, at SHEFFIELD, *Nov.* 7 *at* 12.

Aaron Fairest, Sheffield, cabinet-case maker.

At the County Court of Essex, at CHELMSFORD, *Nov.* 6, *at* 12.

James Young, Salcot, shipowner.

At the County Court of Leicestershire, at LEICESTER, *Nov.* 15.

Wm. Newham the younger, Melton Mowbray, chimney-sweep.

At the County Court of Cornwall, at BODMIN, *Nov.* 7 *at* 10.

James Charles, Mawgan, in Pyder, master mariner.

At the County Court of Cheshire, at CHESTER CASTLE, *Nov.* 5 at 10.

Joseph Middleton, Hyde, out of business.—*W. Fairclough*, Birkenhead, licensed victualler.—*Edward Briscoe*, Horton, near Malpas, labourer.—*William Stubbs*, Chester, licensed victualler.—*John Roby* the younger, Liverpool, in no business.—*Samuel Jones*, Kirkdale, Liverpool, out of business.

MEETING.

George B. Scholes, Moss-side, Hulme, Manchester, commercial traveller, Nov. 8 at 11, at the office of Messrs. Claye & Co., solicitors, Manchester, sp. aff.

FRIDAY, OCTOBER 26.

BANKRUPTS.

FRANCIS LONSDALE, Bermondsey-street, Southwark, Surrey, grocer and tea dealer, Nov. 2 at half-past 11, and Dec. 10 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Dingwall, 8, Tokenhouse-yard.—Petition dated Oct. 13.

JAMES KITCHNER, Gravel-lane, Southwark, Surrey, scavenger and contractor, Nov. 7 at 2, and Dec. 6 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Chester, 144, Blackfriars-road.—Petition dated Oct. 23.

SAMUEL GROOCOCK, Leicester, hatter, hosier, glover, shirt maker, dealer in gutta percha ware, haberdasher, dealer and chapman, (trading under the style or firm of S. Groocock & Co.), Nov. 9 and Dec. 7 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Stevenson, Leicester.—Fiat dated Oct. 6.

JAMES KEEVIL the younger, Bristol, draper, dealer and chapman, Nov. 9 and Dec. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Brittan & Sons, Bristol.—Petition filed Oct. 20.

HENRY SYDENHAM BOLT, Plymouth, Devonshire, wine and spirit merchant, dealer and chapman, Nov. 6 and Dec. 4 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Little & Billing, Devonport; Stogdon, Exeter; Hine & Robinson, Charter-house-sq., London.—Petition filed Oct. 16.

FREDERICK PALMER, Bristol, wine and spirit merchant, Nov. 9 and Dec. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Brittan & Sons, Bristol.—Petition filed Oct. 25.

HENRY BREWER, Manchester, wood tip hat and fancy box manufacturer, dealer and chapman, (carrying on business under the style or firm of Henry Brewer & Co.), Nov. 12 and Dec. 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Vickers & Diggles, Manchester.—Petition dated Oct. 20.

MEETINGS.

Francis Braithwaite, St. Nicholas, Herefordshire, apothecary, Nov. 13 at 10, District Court of Bankruptcy, Birmingham, pr. d.; Nov. 20 at 10, div.—*Robert Busby*, Wood-st., Bethnal-green, Middlesex, cowkeeper, Nov. 9 at 11, Court of Bankruptcy, London, last ex.—*Bennett Sewell* and *William Garrod*, Hackney, Middlesex, drapers, Nov. 7 at half-past 11, Court of Bankruptcy, London, last ex. of *Wm. Garrod*.—*John N. Hart*, King-street, Finsbury-sq., Middlesex, watch manufacturer, Nov. 6 at 1, Court of Bankruptcy, London, last ex.—*Shadrack Clark*, Pickford-mills, Wheathampstead, Hertfordshire, paper maker, Nov. 6 at 11, Court of Bankruptcy, London, last ex.—*Frederick Barford*, St. Alban's, Hertfordshire, hat maker, Nov. 7 at 1, Court of Bankruptcy, London, last ex.—*Thos. Dennis*, Rochford, Essex, licensed victualler, Nov. 14 at 11, Court of Bankruptcy, London, aud. ac.—*James Archer*, Old King-st., Deptford, Kent, baker, Nov. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Harry F. Hodson*, Romford, Essex, ironmonger, Nov. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Hugh Hill*, Prospect-place, Old Kent-road, Surrey, coach broker, Nov. 13 at 11, Court of Bankruptcy, London, aud. ac.—*George H. Blake*, Mount-st., Grosvenor-sq., Middlesex, cabinet maker, Nov. 14 at 12, Court of Bankruptcy, London, aud. ac.—*John Weightman*, Northampton, wharfinger, Nov. 9 at 2, Court of Bankruptcy, London, aud. ac.—*G. Rait*, Moorgate-street, London, tailor, Nov. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. H. Osborn*, Sheffield, Yorkshire, wine merchant, Nov. 17 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*Edw. Pass*, Sheffield, Yorkshire, butcher, Nov. 17 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*Henry D. Wilkinson*, Sheffield, Yorkshire, silver plater, Nov. 17 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*Jas. Austin*, Clist Honiton, Devonshire, builder, Nov. 8 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Nov. 23 at 1, div.—*John Hogg*, Walcot, Somersetshire, draper, Nov. 21 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*Edmund Moody* the younger, Frome Selwood, Somersetshire, ironfounder, Nov. 14 at 1, District Court of Bankruptcy, Bristol, aud. ac.—*Handy Davis* and *Jesse Davis*, Chalford, Gloucestershire, clothiers, Nov. 14 at half-past 12, District

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Court of Bankruptcy, Bristol, aud. ac.—*John Yates* the younger, Colwich, Staffordshire, corn factor, Nov. 20 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Yates* the elder, Colton, Staffordshire, corn merchant, Nov. 20 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Pritchard*, All Saints, Herefordshire, wine merchant, Nov. 10 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Harrison*, Hereford, mercer, Nov. 10 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Jackson*, Clifford, Herefordshire, farmer, Nov. 7 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 14 at 12, pr. d.; Nov. 21 at 12, div.—*George L. Richardson*, Liverpool, cutler, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Miller*, Liverpool, saddler, Nov. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Ledward*, Liverpool, hat manufacturer, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Anthony Harrison*, Bootle-cum-Linacre, near Liverpool, joiner, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Nathan Litherland*, Liverpool, merchant, Nov. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Pritchard*, Liverpool, wine merchant, Nov. 15 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Cliff*, Northwich, Cheshire, draper, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Gaskell Johnson*, Liverpool, merchant, Nov. 15 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Edward Schultz* and *Henry Ward Carr*, Liverpool, sharebrokers, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 22 at 11, div.—*James Colquhoun Kemp*, Liverpool, merchant, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 22 at 11, div.—*Issachar Roberts*, Mold, Flintshire, grocer, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 22 at 11, div.—*Frederick Berner*, West Kirby, and Birkenhead, Cheshire, tea dealer, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 22 at 11, div.—*D. B. Sorley*, Liverpool, broker, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Emily Yeoland*, Liverpool, milliner, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Ridsdale* and *H. C. S. Chauncy*, Liverpool, share brokers, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Boote*, Audlem, Cheshire, maltster, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Alex. Heron*, Birkenhead, Cheshire, stonemason, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas B. Walden*, Liverpool, silk mercer, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Isaac Booth*, Crewe, Cheshire, linendraper, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 22 at 11, div.—*H. T. Smith* and *John Hewitt*, Liverpool, tailors, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Cooke*, Liverpool, warehousekeeper, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*H. A. Stewart*, Liverpool, ship broker, Nov. 30 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 6 at 11, div.—*Edward Emans*, Liverpool, merchant, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*A. M'Comb*, Liverpool, tailor, Nov. 30 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*David Scott*, Flint, Flintshire, ironmaster, Nov. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Askew*, Liverpool, and Egremont, Cheshire, hotel keeper, Nov. 15 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. Fletcher*, *Wm. S. Roscoe*, *Rich. Roberts*, *John Tarleton*, and *Francis Fletcher*, Liverpool, bankers, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. C. Nicholson*, Liverpool, merchant, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Elsam*, Liverpool, commission agent, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Tarleton*, Liverpool, merchant, Nov. 16 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. B. Jones*, Liverpool, hatter, Nov. 30 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Smith*, Liverpool, ship builder, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John N. Johnson*, *Jonathan Foster*, and *John Walsh*, Liverpool, colourmen, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Nov. 30 at 11, div. sep. est. of *J. Foster*.—*Robert Hiscocks*, Birkenhead, Cheshire, brewer, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Maddock*, Rock Ferry, Cheshire, builder, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edw. Mundy*, Liverpool, house agent, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*T. S. Jones*, Wrexham, Denbighshire, grocer, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Smith*, Liverpool, licensed victualler, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John G. White*, Egremont, Cheshire, ship broker, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Owen*, Barmouth, Merionethshire, druggist, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Maddox*, Liverpool, tailor, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Wilkinson*, Liverpool, brass founder, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Charles Williams*, Liverpool, victualler, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Mucklow*, Liverpool, and Duke's-row, New-road, Middlesex, agent, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Atkinson*, Liverpool, spirit dealer, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. B. Fairhurst*, Liverpool, painter, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Fidgen*, Liverpool, shoe manufacturer, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Roberts*, Toxteth-park, near Liverpool, saddler, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Hayes*, Liverpool, shipwright, Nov. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Ingham*, Liverpool, woolstapler, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*M. Jones*, Liverpool, saddler, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Glynn*, Liverpool, broker, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*R. Cubbins*, Tranmere, Babbington, Cheshire, builder, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Stephenson*, West Kirby, Cheshire, cowkeeper, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Rigby* and *John Rigby*, Liverpool, coal merchants, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*R. C. Lloyd*, Liverpool, painter, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*G. Latham*, Liverpool, hotel keeper, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Lawrie*, Liverpool, coal merchant, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*T. Kenny*, Liverpool, bookseller, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Simpson*, Great Bell-alley, London, merchant, Nov. 20 at 11, Court of Bankruptcy, London, fin. div.—*William Burrows*, Leicester-street, Leicester-square, Middlesex, plumber, Nov. 16 at 11, Court of Bankruptcy, London, div.—*Henry Regless*, *Frederick Skerratt*, and *Robert Bousfield*, St. Martin's-lane, Charing-cross, Middlesex, woollendrapers, Nov. 16 at 1, Court of Bankruptcy, London, div. sep. est. of *H. Regless*.—*J. Walters*, Union-street, Southwark, Surrey, and London-wall, London, bottle merchant, Nov. 16 at half-past 1, Court of Bankruptcy, London, div.—*James Hannen*, Little Britain, London, tallow-melter, Nov. 16 at half-past 11, Court of Bankruptcy, London, div.—*James Barnett* and *Thomas Hancock*, Conduit-street, Regent-street, Middlesex, ladies' boot and shoe makers, Nov. 22 at half-past 1, Court of Bankruptcy, London, div.—*Caleb Radford*, Uckfield, Sussex, apothecary, Nov. 22 at 1, Court of Bankruptcy, London, div.—*Edw. Orme*, Knutsford, Cheshire, innkeeper, Nov. 20 at 12, District Court of Bankruptcy, Manchester, div.—*John Shore*, Rochdale, Lancashire, flannel manufacturer, Nov. 19 at 12, District Court of Bankruptcy, Manchester, third and fin. div.—*Thomas Bamford*, Wardle, Rochdale, Lancashire, woollen manufacturer, Nov. 19 at 12, District Court of Bankruptcy, Manchester, div.—*David Cook*, Liverpool, ropemaker, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, div.—*John Orange*, Liverpool, shoemaker, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, div.—*Stephen Moore*, Liscard, Cheshire, wine merchant, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, div.—*Geo. Charles Crofts*, Liverpool, corn merchant, Nov. 22 at 11, District Court of Bankruptcy, Liverpool, div.—*George Wood*, Liverpool, and Toxteth-park, druggist, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, div.—*Henry Cole*, Birkenhead, Cheshire, builder, Nov. 30 at 11, District Court of Bankruptcy, Liverpool, div.—*J. Walker*, Boughton, Cheshire, silversmith, Nov. 29 at 11, District Court of Bankruptcy, Liverpool, div.

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CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Dowell, Monmouth, innkeeper, Nov. 19 at 12, District Court of Bankruptcy, Bristol.—*John King*, Liverpool, licensed victualler, Nov. 20 at 11, District Court of Bankruptcy, Liverpool.—*John Ball*, Salcombe, Devonshire, shipbuilder, Nov. 19 at 1, District Court of Bankruptcy, Exeter.—*John Christopher Rees Weguelin*, Shaldon, Devonshire, out of business, Nov. 19 at 1, District Court of Bankruptcy, Exeter.—*Andrew M'Conchie*, Nottingham, draper, Nov. 16 at 11, District Court of Bankruptcy, Nottingham.

CERTIFICATES GRANTED.

George Henry Blake, Mount-street, Grosvenor-square, Middlesex, cabinet maker, (unless an appeal be duly entered).—*George Clay*, Queen-street, Cheapside, London, woollen warehouseman, (unless an appeal be duly entered).—*Thomas Bamford*, Little-town in Wardle, Rochdale, Lancashire, woollen manufacturer, (unless an appeal be duly entered).—*Edmund Chadwick*, *Joseph Shaw*, and *Abraham Gartside*, Oldham, Lancashire, cotton spinners, (unless an appeal be duly entered).—*William Labrey*, Manchester, grocer, (unless an appeal be duly entered).

SCOTCH SEQUESTRATION.

Charles Audsley, Inverness, auctioneer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Tomlinson the younger, Handsworth, Staffordshire, commission agent, Nov. 12 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Hill*, Worcester, fishmonger, Nov. 14 at 10, County Court of Worcestershire, at Worcester.—*William Tunks*, Worcester, grocer, Nov. 14 at 10, County Court of Worcestershire, at Worcester.—*Charles Hodson*, Worcester, clockmaker, Nov. 14 at 10, County Court of Worcestershire, at Worcester.—*George Burgiss*, Bristol, coach trimmer, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.—*Samuel Winnall*, Dunley, Arley Kings, Worcestershire, fruit dealer, Nov. 14 at 10, County Court of Worcestershire, at Worcester.—*James Blakemore*, Sydnall, Donnington, near Shiffnall, Shropshire, shoemaker, Nov. 24 at 10, County Court of Shropshire, at Madeley.—*James Tucker*, Bristol, butcher, Nov. 21 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Henry Packer*, Bristol, licensed victualler, Nov. 14 at 11, County Court of Gloucestershire, at Bristol.—*John Mann*, Bristol, picture-frame maker, Dec. 19 at 11, County Court of Gloucestershire, at Bristol.—*John Newton*, Bristol, grocer, Dec. 5 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Pope*, Bristol, commission agent, Nov. 21 at 11, County Court of Gloucestershire, at Bristol.—*George Ball Stokes*, Bristol, commercial traveller, Nov. 28 at 11, County Court of Gloucestershire, at Bristol.—*George Stacey*, Bristol, beer retailer, Nov. 7 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Furze*, Bristol, surgeon, Nov. 21 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 9 *at* 11, *before Mr. Commissioner* PHILLIPS.

J. D. Wildsmith, New North-st., Red Lion-sq., Middlesex, trainbearer to the Lord Chancellor.—*Thos. Haigh*, Ann-street, York-road, Lambeth, Surrey, chandler-shop keeper.—*Phillipp Adolphe Priester*, Wardour-st., Soho, Middlesex, cabinet-maker.—*Sydney Raynes*, Renson's-terrace, Oakham-street, Chelsea, Middlesex, cab driver.—*John Blake*, St. George's-road, New Kent-road, Newington, Surrey, publisher and advertising agent.—*Wm. Morgan*, Well-st., Hackney, Middlesex, carpenter.—*Chas. Killick*, Grosvenor-street, Newington, Surrey, town traveller.—*Jas. Simpson Frost*, Caroline-street, Camden-town, Middlesex, out of employment.—*Joshua Welch* the elder, Poland-street, Oxford-st., Middlesex, commission agent.—*Henry Oxlee*, London-road, Southwark, Surrey, upholsterer.

Nov. 10 *at* 11, *before Mr. Commissioner* PHILLIPS.

Thomas Seager, Angell-row, Hammersmith, Middlesex, leatherseller.—*Wm. Barrett*, Earl-st., Edgware-road, Middlesex, carpenter.—*Robert Simons*, Mayfield-place, Dalston, Middlesex, proctor's clerk.—*Isaac Looce*, Alfred-street, Bermondsey, Surrey, out of business.—*John Litton*, Church-st., Islington, Middlesex.—*William Robert Douglas Lockhart Coldwell*, Upper Crown-st., Westminster, Middlesex, dressing-case maker.—*Samuel Stockton*, Church-street, Hackney, Middlesex, linendrapers.—*James Hicks*, Woodcote-place, Lower Norwood, Surrey, bricklayer.—*Wm. James Hicks* the younger, Lower Norwood, Surrey, plasterer.—*Charles Yoell*, Judd-place West, St. Pancras, Middlesex, beer-shop keeper.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 9 *at* 11, *before Mr. Commissioner* HARRIS.

Joseph Wayre, Great Russell-st., Bloomsbury, Middlesex, out of business.—*Thomas Hewett*, Cobden-terrace, King's-road, Homerton, Middlesex, out of business.—*Richard Geo. Knight*, Deptford-bridge, Deptford, Kent, out of business.—*Chas. Bennett*, Bell-st., Paddington, Middlesex, painter and glazier.—*Hannah Simmonds*, Hanover-place, America-square, London, milliner.—*Wm. Morgan* the elder, Charterhouse-lane, Middlesex, tailor.

Nov. 12 *at* 11, *before the* CHIEF COMMISSIONER.

John Augustus Gustavus Smith, Bristol, auctioneer.—*Hen. Freeth*, Bishopsgate-street Without, London, pastrycook.—*Renton Nicholson*, Garrick's Head Hotel, Bow-st., Middlesex, part proprietor of Cremorne Gardens, Chelsea.

Nov. 12 *at* 11, *before Mr. Commissioner* PHILLIPS.

Jabez Bentham, Mary-street, Hampstead-road, Middlesex, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Alexander Sutherland, Aigburth, near Liverpool, master mariner, No. 71,630; Henry Whittle, assignee.—*James Copley*, Ashton-under-Lyne, retail dealer in ale, No. 71,438; Jeremiah Seel, assignee.—*Robert Brown*, Liverpool, manager to a licensed victualler, No. 71,642; John Lea, assignee.—*Frederick Newcombe*, Liverpool, out of business, No. 71,627; Joseph Woodall, assignee.—*Christopher Metcalfe*, Manchester, plumber, No. 71,499; Thos. Ferns Langford, assignee.—*Stephen Henry Harrop*, Ashton-under-Lyne, baker, No. 71,501; James Palmer, assignee.—*Jas. Pollard*, Hulme, Manchester, provision dealer, No. 71,593; William Roberts, assignee.—*George Barlow Scholes*, Hulme, Manchester, out of employment, No. 71,524; Martin Middleton, assignee.—*Edward Moore*, Preston, out of business, No. 71,656; Mark Seed, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *Nov.* 9 *at* 11.

John Williams, Manchester, dealer in drapery.—*Elizabeth Millitt*, Hulme, Manchester, out of business.—*Geo. Burrow*, St. Leonard's-gate, out of business.—*Robert Core*, Birkenhead, Liverpool, accountant.—*James Saunders*, Liverpool, out of business.—*Thomas Thompson*, Manchester, out of business.—*Wm. M'Cann*, Manchester, painter.—*Henry Wilkinson*, Habergham Eaves, near Burnley, foreman in a stone quarry.—*Martha Worsnip*, Bottom-o'-th'-Moor, Oldham, out of business.—*John Rothwell*, Ashton-under-Lyne, auctioneer.—*George Archer*, Liverpool, butcher.—*J. Thompson*, Preston, out of business.—*Jos. Ludlam*, Blackpool, lodging-house keeper.—*George Vernon*, Greenheys, Chorlton-upon-Medlock, Manchester, out of business.—*Charles Hindle*, Blackburn, furniture broker.

At the County Court of Sussex, at LEWES, *Nov.* 12.

Wm. Constable, Barcombe, near Lewes, huckster.

At the County Court of Durham, at DURHAM, *Nov.* 9.

Wm. Sugget, Stockton-on-Tees, publican.—*Wm. Chater* the younger, Bishopwearmouth, publican.—*Robert Herdman*, Durham, woollendraper.—*Alex. Wilson*, Bishopwearmouth, publican.—*Wm. Thompson*, Monkwearmouth, out of business.—*George Mowbray*, Berry Edge, shoemaker.

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LONDON, NOVEMBER 3, 1849.

If those who have been for some time advocating the propriety of abolishing capital punishment, even in cases of murder, were to confine their suggestion to the abolition of it in all cases where the proof rests entirely on circumstantial evidence, they would probably find a much larger body of supporters than they have hitherto had. Our readers are all well aware, that numerous well authenticated instances exist, in which the circumstantial evidence has been so strong as to produce conviction and punishment, and yet, in fact, it has turned out that the conviction and punishment were unjust. A most striking instance has lately occurred, in which the circumstantial evidence pressed most strongly against certain accused parties, so much so, that it is highly probable they would, upon trial, have been found guilty. Fortunately the most convincing proof of their innocence was produced before they were put upon their trial. We allude to the case of *M'Gowran*, lately before the public in the police reports, in which a man was robbed, and thenceforth missing. His property was traced to the accused, who were unquestionably guilty of the robbery; but, as the robbed man could not be found, and the robbers were the last persons known to have been in his company, a suspicion of their being also his murderers arose; and a strong chain of that kind of evidence which is founded upon the supposition that men have done that which it was likely they should do, was gradually being formed, when the missing man, who had taken the very unusual course of neglecting to try to get his money back, and had, from a very unusual degree of indifference to news, not heard anything about his having been murdered, suddenly re-appeared, and acquitted the accused, at least of his murder. But it is not upon few or even many instances of the actual failure of circumstantial evidence that we would rest our argument against the propriety of relying upon it to convict capitally; for we well know, that such facts, however much they may delight those who call themselves practical men, are by no means conclusive for supporting any general rule; and we know also, that instances have occurred in which the testimony of eye-witnesses, not wilfully telling any untruth, has yet been contrary to the truth, owing to some failure of accuracy either in observing or in remembering. We have ourselves heard from the lips of one of the parties, a case in which a charge of smuggling in her husband's ship by the wife of the captain, was obliged to be dropped, because the officer who had taken the goods upon her was, when she was produced before the magistrate side by side with a twin-sister, utterly unable to swear which of the ladies was the one on whom he had seized the smuggled goods. So, there are instances of men having so completely forgotten acts of their own, as to deny them upon oath. We rest not, therefore, upon isolated instances of error, but upon the principles in which the error has its source. Now, all human testimony is confessedly liable to inaccuracy; but, according to its nature, and the mode in which inferences are drawn from it, that liability may be greater or less. If a man, appearing to possess the ordinary senses of man, and being of good credit, states what he has seen or heard, the sources of error are only to be found in the possibility of his having not seen or heard what he thinks he has seen or heard, or of his not recollecting with precision what he actually did see or hear. If, therefore, what he alleges himself to have seen or heard is the very fact in issue, there is no difficulty arising

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from the possibility that the inference drawn may be incorrect. For instance, suppose the question is, whether A. killed B., and then suppose that a credible witness says he saw A. thrust a knife into B.'s body, that he saw blood issue, and saw B. fall, and afterwards saw A. go away, and then went to look at B., and found that he was dead. There may, of course, be error in the witness's testimony. He may have been mistaken in the fact of the knife having actually entered the body—he may have been mistaken in the identity of A. It may be that the blow did not kill B., but that he fell from fright, and so died. But if the facts stated by the witness are truly stated, there is nothing worthy to be mentioned in the mental process to be gone through by the hearer, in drawing his conclusion from the facts: the facts constitute the very killing in question, unless the ordinary laws of nature are supposed to be altered. But if, instead of these or similar facts, which, being followed by death, preclude the possibility of assigning any other cause for the death than the particular acts, we have what is termed circumstantial evidence, we let in, in addition to the sources of error arising from the incapacity of the witness, all that fruitful course of error which depends on the possibility of many causes, other than the apparent cause, having produced the results shewn to have taken place. Suppose, for instance, a murder is to be established by circumstantial evidence. A. is found dead, and with wounds of various descriptions; it is shewn, perhaps, that he had had some desperate quarrel with B., who left the neighbourhood at the very time when A. was found dead. By the side of the dead man is found a knife, proved to have belonged to B., and perhaps it is proved that B. was seen with marks of blood upon him. Now, here is almost enough, if the cause of B.'s departure, and of his being marked with blood, is not satisfactorily explained, to convict him of the death of A.; and if, in addition, the appearance of the knife, which had belonged to him, is not accounted for, B. would have but a slight chance with most juries. Now, doubtless, grave suspicion would naturally be excited by such a train of circumstances—doubtless, a probable cause of the knife of B. being found by the body of A. would be, that B. had used and forgotten it in the agitation of the murder—doubtless, also, it would be a probable cause for the sudden departure of B., that he had committed the crime, and sought to elude pursuit; and then the blood upon him, if unexplained, would be almost conclusive. Yet for all these things there might be many other causes. B. might have left the neighbourhood on account of debt, or for convenience, or for a thousand reasons besides having killed A. He might have lost his knife, or he might, in a struggle with A., originating A.'s attack upon him, have had it taken from him. Many causes might, in fact, have produced the various facts proved, quite independently of any murder of A. by B. The source of error, in acting upon this species of evidence, is to be found in the disposition of men's minds, having once had a suspicion aroused, to attribute all the events that have happened to causes favourable to the suspicion, instead of attributing them to any one of the numerous other causes which they might have had. Hence it is, that, if a murder has been committed, no cause of sudden departure by the person last seen with the murdered man, can ever be entertained as probable, except a desire to elude the consequences of having committed a crime. Hence it is, that, although a man may have blood on his clothes, or that some instrument belonging to him may be in a particular locality, from a thousand different causes, yet if he has had a quarrel with another, and has been seen with that other very shortly before his violent death, no other cause for the facts proved is entertained as probable, except that which is consistent with the supposition of his having murdered his enemy.

It would be manifestly absurd to consider testimony, which can only be susceptible of error from the tendency to error of the witness, as equally liable to error with testimony which is not only susceptible of error from the tendency of the witness to error, but, in addition, susceptible of error from the circumstance that many things may have caused the facts proved. And it follows, that circumstantial evidence, being of the latter class, *must* be much more likely to lead to erroneous conclusions, than the evidence of actual witnesses. If, then, it is admitted, that, even with regard to testimony of actual witnesses, there may be error, leading to an improper destruction of human life, surely, when the chance of error is greatly increased, it is highly impolitic to act upon evidence so tainted, to the extent of inflicting a punishment which cannot be recalled, if it is found to have been improperly inflicted.

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Court of Chancery.

Before the LORD CHANCELLOR.

APPEALS.

Hodgkinson *v.* Hodgkinson
Knight *v.* Majoribanks } (Ap)
Same *v.* Gibbs }
Scarf *v.* Soulby (Ap)
Onslow *v.* Wallis (Ap)
Cuddon *v.* Morley (Ap)
Chambre *v.* Siggers (Ap)
M'Intosh *v.* Great Western Railway Company (Ap)
Att.-Gen. *v.* Jones (Cause by order)
Phillipson *v.* Gatty } (Ap)
Gatty *v.* Phillipson }
Staniland *v.* Willott (Ap)
Coward *v.* Coward (Ap)
Cooke *v.* Cholmondeley } (Ap)
Same *v.* Vaux }
Cole *v.* Scott (Ap)
Rackham *v.* Siddall (Ap)
Williams *v.* Powell }
Same *v.* Davis } (Ap)
Price *v.* Powell }
Monro *v.* Taylor (Ap)
Duncan *v.* Luntley (Ap)
Malcolm *v.* Scott (Ap)
Boothby *v.* Boothby (Ap)
Fuller *v.* Bennett (Ap)
Watson *v.* Masters (Ap)
Dodson *v.* Powell (Ap)
Hawkins *v.* Jackson (Ap)
Hunter *v.* Daniel (Ap)
Cowell *v.* Watts } (Ap)
Watts *v.* Cowell }
Newman *v.* Hutton (Ap)
Andrew *v.* Andrew (Ap)
Marks *v.* Solomons (Ap)
Purchase *v.* Shallis (Ap)
Att.-Gen. *v.* Gibbs } (Ap)
Rock *v.* Same }
Masters *v.* Scales (re-hearing)
Loader *v.* Clarke (Ap)
Bagshaw *v.* East India Railway } (2 Aps)
Same *v.* Same }
Miller *v.* Priddon (Ap)
Cross *v.* Sprigg (Ap)
Sanderson *v.* Cockermouth & Workington Railway Co. (Ap)
Griggs *v.* Staplee (Ap)
Dawson *v.* Brinckman (Ap)
Bagshaw *v.* M'Niel (Ap)
Att.-Gen. *v.* Corporation of London (Ap)
Padbury *v.* Clarke (Ap)
Att.-Gen. *v.* Pilgrim (Ap)
Coleman *v.* Mellersh (Ap)
Adams *v.* Blackwall (Ap)
Hirst *v.* Tolson (Ap)
Tomlinson *v.* Troughton } (Ap)
Haydock *v.* Tomlinson }
Weaver *v.* Grant (Ap)
Waring *v.* Manchester, Sheffield, and Lincolnshire Railway Co. (Ap)
Coleman *v.* Mellersh (Ap)
Phelps *v.* Protheroe (Ap)
Hughes *v.* Williams (Ap)
Walsh *v.* Trevanion (4 cases, Ap)
Price *v.* Berrington (3 cases, Ap)
Williamson *v.* Gordon (Ap)
Benyon *v.* Nettlefold (Ap)
Griggs *v.* Staples (Ap)
Hutchinson *v.* Teycheune (Ap)
Short *v.* Mercier (Ap)
Roberts *v.* Jones (Ap)
Lassence *v.* Tierney (Ap)
Fowler *v.* Reynal (Ap)
Caton *v.* Ridout (Ap)
Weaver *v.* Grant (Ap)

Before the VICE-CHANCELLOR OF ENGLAND.

PLEAS, DEMURRERS, CAUSES, EXCEPTIONS, AND FURTHER DIRECTIONS.

Collett *v.* Morrison (D)
Sergrove *v.* Mayhew (Pl)
Allen *v.* Wilson
Hobson *v.* M'Kenzie *To be mentioned*
Parsons *v.* Bean

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Barnard *v.* Earl of Liverpool
To be mentioned
Roberts *v.* Roberts (F D, C)
To be mentioned
Bell *v.* Hoyes
Hughes *v.* Pride (F D, Ptn)
Knight *v.* Cox (F D, Ptn)
Sanders *v.* Sanders (2 caus.)
Same *v.* Same (F D, C)
Gates *v.* Lord Dunboyne
Vaughan *v.* Vanderstagen
Gresley *v.* Jones
Fairfax *v.* Drought
Same *v.* Oakes (F D, C)
Williams *v.* Williams
Gleadow *v.* Hall Glass Co.
Fowler *v.* Fowler (2 causes)
Pearcy *v.* Dicker
Beasley *v.* Snare
Parkyn *v.* Cape
Qurcke *v.* Kingdon
Forward *v.* Edginton
Jones *v.* Brandon
Stammers *v.* Halliday (F D, C)
Deare *v.* Bates (F D, C)
Newman *v.* Warner
Fairhurst *v.* Malcolm (E)
Freeman *v.* Norton
Mason (pauper) *v.* Wakeman
Bell *v.* Rea
Rea *v.* Bell
Holbeck (pauper) *v.* Holbeck
Attorney-Gen. *v.* Adams
Bignold *v.* Yeo
Galland *v.* Watson (F D, C)
Gifford *v.* Pryor
Barnett *v.* Sheffield
Spilling *v.* Sims (F D, C)
A. Fletcher *v.* Moore (F D, C)
Branch *v.* Bank of England (F D, C)
Att.-Gen. *v.* Brown's Hospital
Same *v.* French
Bird *v.* Smith
Enderby *v.* Gunter
Wilkinson *v.* Hartley (E, F D)
Jones *v.* Parry
Green *v.* Wallis
Padwick *v.* Hanslip
Mayor of Berwick *v.* Murray
Scarisbrook *v.* Skelmersdale
Fletcher *v.* Ramsden
Langdon *v.* Woods (F D, C)
Gardner *v.* Williams
Ashburnham *v.* Ashburnham *Nov.* 5
Devey *v.* Fisher
Wright *v.* Barnewell (F D, Ptn) *S O*
Roe *v.* Gootheridge (P C)
Bryant *v.* Bryant (F D, C)
Sergison *v.* Sergison (F D, C) *Sh*
Brook *v.* Haigh *Sh*
Foster *v.* Greaves
Watson *v.* Boothby
Wright *v.* Pell
Trant *v.* Deffell (F D)
Shephard *v.* Hancock
Byrne *v.* Earl of Ranfurly
Porter *v.* Simson

Before Vice-Chancellor KNIGHT BRUCE.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Harrison *v.* Bisgood (D)
Tarleton *v.* Liddell (D)
Padley *v.* Lincoln Water-works Co. (E as to pleading)
Henderson *v.* Richards
Stanley *v.* Bulkeley
Mendes *v.* Brandon
Norgate *v.* Baron Thurlow
Good *v.* Good
Caton *v.* Rideout (F D, C) *S O*
Grimley *v.* Pratt
Hawtin *v.* West
Shipton *v.* Shipton
Lee *v.* Browne
Carter *v.* James
Same *v.* Harding
Chilton *v.* Rogers (F D, C)
Lugar *v.* Clark
Clark *v.* Hambrook
Riley *v.* Garnett
Towne *v.* Dean
Bryans *v.* Hinde
Llewellyn *v.* Morgan (F D, C)
Coleman *v.* Jessop (4 causes, F D, C)
Hanbury *v.* Fletcher (E, F D)
Webb *v.* Tilsley
Jordan *v.* Upton (P C)
Bramston *v.* Bartrop
Howe *v.* Howe (F D, C)
Offen *v.* Reeve
Same *v.* Southerden
Hay *v.* Willoughby (F D, C)
Craighill *v.* Craighill
Plews *v.* Mason
Gibson *v.* Fluitt
Fenner *v.* Boag
Rogers *v.* Quarterman
Webster *v.* Butterworth
Emmett *v.* Dewhirst
Villebois *v.* Villebois
Gore *v.* Bowser

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Marquis of Londonderry *v.* Ovingdon (4 causes, pt. hd.)
Coope *v.* Carter (3 causes, F D, part heard)
Vincent *v.* Bishop of Sodor and Man (F D, C)
Dixon *v.* Pyner (part heard)
Cross *v.* Sprigg
Tidmas *v.* Thompson (3 causes)
Tidmas *v.* Masters
Rees *v.* Same (F D, C)
Davidson *v.* Proctor (F D, C)
Griffith *v.* Lunell (4 causes)
Watson *v.* Masters (E)
Wood *v.* Freeman (E, F D)
Duke of Beaufort *v.* Morris (F D, C)
Clay *v.* Rufford
Thompson *v.* Roper
Same *v.* Manley
James *v.* Lord Wynford (4 causes, F D, C)
Whitlow *v.* Dilworth
Same *v.* Whitlow
Mence *v.* Bagster
Hume *v.* Salmon (2 causes)
Lyde *v.* Fearn
Barnard *v.* Trower
Toulmin *v.* Copland
Malpas *v.* Miller
Att.-Gen. *v.* Laws (F D, C)
Ford *v.* Ford
Same *v.* Blackburn (F D, C)
Mainwaring *v.* Beevor
Same *v.* Mainwaring (F D, C)

Selby *v.* Thompson (19 causes, F D, C)
Greenwood *v.* Cleave (F D, C)
Beckett *v.* Cawood
Davis *v.* Davis (5 causes, F D, C)
Knocker *v.* Woollett
Tippins *v.* Coates (E, 2 sets)
Parkes *v.* Sanders
Morrison *v.* Hoppe (E)
Smith *v.* Capron
Johnson *v.* Johnson
Same *v.* Same
Thomas *v.* Thomas

Rolls Court.

JUDGMENTS RESERVED.

Hooper *v.* Salmon
Tugwell *v.* Hooper
Sturge *v.* Sturge
Rodick *v.* Gandell
Rodick *v.* Gandell

PLEAS AND DEMURRERS.

Dean of Ely *v.* Gayford *S O*
Same *v.* Waddelow *S O*
Same *v.* Same *S O*
Same *v.* Bliss *S O*
Same *v.* Shillito *S O*
Same *v.* Hensley *S O*
Lewis *v.* Baldwin (objection for want of parties) *S O until hearing*
Whitfield *v.* Day (D)
Tagg *v.* South Devon Railway Co. (E, 2 sets)
Salomons *v.* Laing (D of Laing & ors.)
Salomons *v.* Laing (D of Wilkinson & ors.)

CAUSES.

Stourton *v.* Jerningham *S O to present petition*
Gas Light and Coke Co. *v.* Symonds (F D, C)
Symonds *v.* Gas Light and Coke Co. *S O till after*
Stillman *v.* Gas Light and Coke Co. *report on Exceptions*
Christy *v.* Courtenay (F D, C, Ptn)
Baynton *v.* Hooper *S O to amend*
Baynton *v.* Hooper
Wilson *v.* Eden (F D, C) *S O until case returned from Queen's Bench*
Biggs *v.* Naylor *S O*
Johnson *v.* Thomas *S O to add parties*
Hele *v.* Bexley (E, F D, C) *S O until after trial of action at law*
Hele *v.* Bexley
Hele *v.* Bexley
Hele *v.* Bowyer
Hele *v.* Donovan
Vallance *v.* Amiot (E)
Hargrave *v.* Hargrave (F D, C)
Ballenger *v.* Hawes (F D, C, Ptn)
Buck *v.* Dennis
Next Term
Read *v.* Smith (F D, C)
Att.-Gen. *v.* Marquis of Bristol
Att.-Gen. *v.* Hine
Holl *v.* Gordon
Holl *v.* Holl
Foy *v.* Dawes
Blenkinsopp *v.* Blenkinsopp
Kelly *v.* Cheswell
Same *v.* Same
Skinner *v.* Kelly (F D, C)
Jones *v.* Powell
Agassiz *v.* Squire
Thornber *v.* Sheard
Fenwick *v.* Greenwell (F D, C)
Pope *v.* Gardner (F D, C)
Laycock *v.* Smith
Att.-Gen. *v.* Walmsly (E, F D, C)
Same *v.* Dale
Lomax *v.* Lomax (F D, C)
Read *v.* Strangways (E, F D, C)
Same *v.* Treherne
Howard *v.* Prince
Same *v.* Stapleton (F D, C)
Same *v.* Howard
Greenwood *v.* Penny (F D, C)
Boyle *v.* Same
Hitchcock *v.* Clendinen (FD, C, Ptn)
Same *v.* Aspinwall
Same *v.* Hardy in M'Hardy *v.* Hitchcock)
Lockhart *v.* Hardy
Thomas *v.* Same
Norman *v.* Same
Hardy *v.* Lockhart (F D, C)
Lockhart *v.* Arundell
Same *v.* Lee
Same *v.* Hardy
Same *v.* Crouch

NEW CAUSES.

Rooth *v.* Tomlinson
Langdale *v.* Morrison
Coxhead *v.* Babb (at request of Babb *v.* Coxhead)
Same *v.* Same (at request of defendant May)
Whalley *v.* Lord Suffield
Meddowcroft *v.* Campbell
Same *v.* Hughes
Ballenger *v.* Hawes
Buck *v.* Denis
Gregory *v.* Davies
Penruddock *v.* Hammond

GRAY'S-INN, MICHAELMAS TERM.—The Lectures on the Law of Real Property will be resumed in the Hall of this Society on Monday, the 5th November next, when an Introductory Lecture will be delivered on "The Polity and Spirit of the English Laws, and their Suitableness to the Interests of English Society." The ensuing course of Lectures will be upon "The Rights and Obligations incident to the Ownership of Land in England." The Lectures will, as usual, be delivered every Monday and Thursday evening, at half-past seven o'clock. The "Meetings" of the Students will take place once in every fortnight, at a time to be fixed by the Lecturer. Tickets are given, without restriction, to Members of any of the Inns of Court applying for the same at the Steward's office.

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London Gazettes.

TUESDAY, October 30.

BANKRUPTS.

ELIZA NEUENS, Broad-street, London, watch and clock maker, Nov. 10 and Dec. 15 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Hopwood, 47, Chancery-lane.—Petition dated Oct. 20.

CORNELIUS BRAY, Landport, Portsea, Southampton, trader, Nov. 7 and Dec. 18 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Ford, Portsea; Low, 65, Chancery-lane.—Petition dated Oct. 25.

RICHARD KNIGHT, Croydon, Surrey, licensed victualler and timber dealer, Nov. 10 at 11, and Dec. 15 at half-past 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. M'Leod & Stenning, 13, London-st., Fenchurch-st.—Petition dated Oct. 29.

DAVID GEORGE FOSTER, St. John's-sq., Clerkenwell, Middlesex, ironmonger and metal dealer, Nov. 5 and Dec. 18 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Bolton, Dudley.—Petition dated Oct. 26.

JOHN BEALES, Halesworth, Suffolk, apothecary, dealer and chapman, Nov. 10 and Dec. 15 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Barrett, 35, Lincoln's-inn-fields.—Petition dated Oct. 27.

THOMAS VERTUE, Trinity-terrace, Tower-hill, London, seed merchant, Nov. 10 and Dec. 15 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Russell, 23, Martin-lane, Cannon-st., City.—Petition dated Oct. 29.

HENRY BROWER, Manchester, wood tip hat and fancy box manufacturer, dealer and chapman, Nov. 12 and Dec. 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Vickers & Diggles, Manchester.—Petition dated Oct 20.

PETER HEALEY, late of Stapeley, Cheshire, but now of Birmingham, factor, dealer and chapman, Nov. 3 and Dec. 4 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Rushworth, Birmingham.—Fiat dated Oct. 8.

SAMUEL WILSON, West Bromwich, Staffordshire, draper, dealer and chapman, Nov. 10 and Dec. 11 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Stuart, Wolverhampton; Smith & James, Birmingham.—Petition dated Oct. 27.

RICHARD JOHN HICKS, West Derby, near Liverpool, late of Slaugham, Sussex, dealer in cattle, and horse dealer, and formerly of Manchester, paper manufacturer, Nov. 14 and Dec. 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Greene, Liverpool; Maples & Co., Old Jewry, London.—Fiat dated Oct. 9.

Meetings.

Robert Bishop, Vere-street, Oxford-street, Middlesex, hotel keeper, Nov. 8 at 11, Court of Bankruptcy, London, last ex.—*Edwin Calder*, Birmingham, miller, Nov. 21 at 12, District Court of Bankruptcy, Birmingham, last ex.—*F. Clementson*, Shelton, Staffordshire, earthenware manufacturer, Nov. 21 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Thomas Francis*, Birmingham, nail manufacturer, Nov. 21 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Thos. Reed*, North Shields, Northumberland, banker, Nov. 21 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*George Ellins*, Droitwich, Worcestershire, salt manufacturer, Nov. 20 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Bowers*, Worcester, wine merchant, Nov. 13 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Rushton* the younger, Nottingham, livery-stable keeper, Dec. 7 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*Wm. F. Mills*, Hart-st., Mark-lane, London, and High Holborn, Middlesex, merchant, Nov. 23 at 1, Court of Bankruptcy, London, fin. div.—*Josiah Beddow* and *Fred. Berryman*, Little Love-lane, Wood-street, Cheapside, London, Scotch and Manchester warehousemen, Nov. 20 at 2, Court of Bankruptcy, London, fin. div.—*Wm. Barton*, Old Brentford, Middlesex, grocer, Nov. 23 at 2, Court of Bankruptcy, London, div.—*Wm. Ambrose*, Awre, Gloucestershire, timber merchant, Nov. 22 at 12, District Court of Bankruptcy, Bristol, fin. div.—*Benj. J. Maunder*, Mark, Somersetshire, draper, Nov. 20 at 11, District Court of Bankruptcy, Bristol, div.—*Wm. S. Batson*, *John Wilson*, and *John Langhorn*, Berwick-upon-Tweed, bankers, Nov. 22 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. sep. est. of *William Smith Batson*; at 11, fin. div. joint est., and fin. div. sep. est. of *John Wilson*; at half-past 11, fin. div. sep. est. of *John Langhorn*.—*James Benny*, Liverpool, tailor, Nov. 22 at 12, District Court of Bankruptcy, Liverpool, div.—*William Drinkwater*, Liverpool, draper, Nov. 22 at 12, District Court of Bankruptcy, Liverpool, div.—*Wm. Labrey*, Manchester, grocer, Nov. 22 at 11, District Court of Bankruptcy, Manchester, div.—*Thos. Stother* and *Wm. Richards*, Manchester, joiners, Nov. 22 at 12, District Court of Bankruptcy, Manchester, fin. div. joint est., and fin. div. sep. est. of *Thos. Stother*.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thos. Lewis, Hereford, timber merchant, Nov. 21 at 12, District Court of Bankruptcy, Birmingham.—*Fred. Fleur*, Farndon, Nottinghamshire, miller, Dec. 14 at 11, District Court of Bankruptcy, Nottingham.—*John Pulleine* the younger, Selby, Yorkshire, brewer, Nov. 22 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Henry Hix Olph, West Ham, Essex, cattle salesman.—*Robert Cogan*, Leicester-square, Middlesex, glass merchant.—*Samuel Prentice*, Slough, Buckinghamshire, ironmonger.—*James Pulham*, Broxbourne, Hertfordshire, plasterer.

Fiat Annulled.

Joseph Haynes, Aldermanbury, London, woollen warehouseman.

Partnerships Dissolved.

Samuel Leperd, *David Williams*, and *William Joseph Frederick Bannatyne*, Cloak-lane, London, attornies and solicitors, (so far as regards the said *David Williams*).—*George Kennett Pollock* and *Anthony Stevenson*, Essex-st., Strand, Middlesex, attornies and solicitors, (under the firm of Pollock & Stevenson).

Scotch Sequestration.

Andrew Alexander, Pettycur-house, by Kinghorn, glazier.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Mills, Cirencester, Gloucestershire, cabinet carver, Nov. 8 at 10, County Court of Gloucestershire, at Cirencester.—*Jabez Ridehalgh*, Halifax, Yorkshire, hay and straw dealer, Nov. 9 at 10, County Court of Yorkshire, at Halifax.—*George Johnson*, Milton, next Gravesend, Kent, paperhanger, Nov. 10 at 10, County Court of Kent, at Gravesend.—*Jas. Coombes Garmeston*, Bristol, bellhanger, Dec. 19 at 11, County Court of Gloucestershire, at Bristol.—*William Ball Palmer*, Bristol, out of business, Dec. 12 at 11, County Court of Gloucestershire, at Bristol.—*Chas. Coldrick*, Bristol, clerk to a fishmonger, Dec. 12 at 11, County Court of Gloucestershire, at Bristol.—*Alex. Wills*, Bristol, private tutor, Dec. 12 at 11, County Court of Gloucestershire, at Bristol.—*Chas. Stewart*, Bristol, licensed victualler, Dec. 12 at 11, County Court of Gloucestershire, at Bristol.—*James Rogers*, Bristol, tea dealer, Dec. 12 at 11, County Court of Gloucestershire, at Bristol.—*Wm. Smith*, Halifax, Yorkshire, tea dealer, Nov. 9 at 10, County Court of Yorkshire, at Halifax.—*William Cory*, St. Austell, Cornwall, miller, Nov. 8 at 10, County Court of Cornwall, at St. Austell.—*George Allen*, Bristol, master mariner, Nov. 14 at 11, County Court of Gloucestershire, at Bristol.—*John Henry Sykes*, Repton, Derbyshire, assistant mathematical master at the free grammar-school, Repton, Nov. 17 at 11, County Court of Derbyshire, at Derby.—*Robert Ripley*, Ashton-under-Lyne, Lancashire, hair dresser, Nov. 8 at 11, County Court of Lancashire, at Ashton-under-Lyne.—*George Ackurch*, Liverpool, miller, Nov. 5 at 10, Liverpool District County Court, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 13 *at* 11, *before Mr. Commissioner* Harris.

John Perry, Pott-street, Bethnal-green-road, Middlesex, butcher.—*Wm. Taylor*, Spencer-st., Clerkenwell, Middlesex,

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foreman to a watchmaker.—*Wm. Jones*, Mintern-st., New North-road, Hoxton New-town, Middlesex, sawyer.—*Thos. Jos. Crafford*, High-st., Stoke Newington, Middlesex, confectioner.—*Alex. Stiven*, Clifford's-inn, Fleet-st., London, attorney's clerk.—*Jos. Clark*, George-terrace, Victoria-park, Bethnal-green, Middlesex, coffee dealer.—*J. Haberzettel*, Bedford-st., Covent-garden, Middlesex, artist.—*J. Seabrook*, Somerset-place, Havil-st., Southampton-st., Camberwell, Surrey, commission agent to a wine merchant.—*Wm. J. Pilcher*, Holland-st., Clapham-road, Surrey, schoolmaster.—*John Fred. Kessler*, Greenwich, Kent, private teacher.

Nov. 13 *at* 11, *before Mr. Commissioner* PHILLIPS.

Robert Williams, Victoria-cottages, Tanner's-hill, Deptford, Kent, out of employment.—*William Percival*, Chandos-street, Strand, Middlesex, engraver.—*John Terry*, Bouverie-street, Paddington, Middlesex, greengrocer.—*John Watson*, Dover-place, New Kent-road, Surrey, pianoforte maker.—*C. Follit*, Ryder's-court, Leicester-square, Middlesex, out of business.—*John Callow*, Rahere-street, Goswell-road, Middlesex, dairyman.—*Walter Snow*, Murray-street, New North-road, Middlesex, clerk to the Eastern Railway Company.—*John Howard*, Archer's-terrace, Old Ford, Victoria-park, Middlesex, in no profession.—*Peter Axton*, Charles-street, Stepney, Middlesex, pilot.—*John Cowell*, Queen's-row, Walworth, Surrey, out of business.

Nov. 14 *at* 11, *before the* CHIEF COMMISSIONER.

Nathan Salmon, Trafalgar-square, Hill-street, New Peckham, Surrey, baker.—*Charles Fox Layton*, Upper Manor-street, Chelsea, Middlesex, merchant's clerk.—*Edw. Evans*, Victoria-street, Holborn-hill, London, out of business.—*Jas. Hill*, Henry-street, Hampstead-road, Middlesex, grocer.—*Margaret Davies*, Loraine-place, Holloway, Middlesex, in no business.—*Henry Chisholme*, Asylum-terrace, King's-road, Chelsea, Middlesex, dyer.—*Patience Fell*, widow, Bromley-street, Commercial-road East, Middlesex, out of business.—*Chas. S. Hervè de la Morinière*, Strand, Middlesex, artist.—*James Le Mare*, Well-street, Hackney, Middlesex, dealer in beer.

Nov. 15 *at* 11, *before the* CHIEF COMMISSIONER.

David L. Parker, Gresse-street, Rathbone-place, Middlesex, painter.—*Thos. Bates*, Gee-street, Goswell-street, Middlesex, watch-movement maker.—*Wm. Barnes*, Collier-street, Pentonville, Middlesex, carpenter.—*H. J. Webb*, Bexley-heath, Kent, retailer of beer.—*Wm. Smith*, Isleworth, Middlesex, bricklayer.—*P. L. Lee*, Johnson-court, Fleet-street, London, bill poster.—*Thomas Tanner* the younger, Walnut-tree-walk, Lambeth, Surrey, out of employ.—*Hugh Savage*, Duke-street, Lisson-grove, Marylebone, Middlesex, labourer.—*Henry Hobbs Chambers*, Kirby-st., Hatton-garden, Middlesex, not in any business.

Nov. 15 *at* 10, *before Mr. Commissioner* LAW.

Wm. Inglis, Woolwich, Kent, retailer of beer.—*James Offen*, Manor-place, Walworth, Surrey, printseller.—*Bessey Andrew*, spinster, Invalid Asylum, High-street, Stoke Newington, Middlesex, matron.—*Wm. Bullock*, Murray-street, New North-road, Middlesex, clerk to a stock broker.

Saturday, Oct. 27.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

G. E. N. Nugent, Folkestone, Kent, in no business, No. 71,647 C.; John Marsh, assignee.—*Robert Smurthwaite*, Bishopwearmouth, Durham, out of business, No. 71,570 C.; R. A. Johnson, assignee.—*Jonathan Greaves*, New Mill, near Holmfirth, Yorkshire, licensed victualler, No. 71,428 C.; T. Styring, assignee.—*Wm. Lawry*, Gulval, Cornwall, farmer, No. 71,612 C.; Thos. W. Bolton, assignee.—*Henry Ralph Cooper*, Ixworth, Suffolk, surgeon, No. 71,419 C.; Thomas Barsham, assignee.—*Thomas Morgan*, Newport, Monmouthshire, carpenter, No. 64,828 C.; Mary Watkins, new assignee, in place of Thomas Watkins, deceased.

Saturday, Oct. 27.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Robert Court Cullen the younger, Hayes-town, Hayes, Middlesex, law stationer: in the Debtors Prison for London and Middlesex.—*Wm. Dunkley*, Tower-street, Westminster-road, Surrey, undertaker: in the Gaol of Surrey.—*Henry T. Ryder*, Hatfield-street, Stamford-street, Blackfriars-rd., Surrey, carpenter: in the Gaol of Horsemonger-lane.—*James Lawrence*, Medina-place, Upper Holloway, Middlesex, foreman to a builder: in the Debtors Prison for London and Middlesex.—*Edward Brighton*, Swinton-street, Gray's-inn-road, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Thomas Bell*, Pakenham-street, Gray's-inn-road, Middlesex, compositor: in the Debtors Prison for London and Middlesex.—*G. N. C. Davis*, Upper North-place, Gray's-inn-road, Middlesex, retired paymaster and purser in her Majesty's Navy: in the Debtors Prison for London and Middlesex.—*Lionel Goddard Watling*, James-street, Covent-garden, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Samuel Horton*, Bloomsbury-street, Vauxhall-bridge-road, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Frederick Chapman*, New London-street, London, wine merchant: in the Debtors Prison for London and Middlesex.—*Robert Taylor*, New Church-court, Strand, Middlesex, house agent's clerk: in the Debtors Prison for London and Middlesex.—*William Brown*, Richard-street, Liverpool-road, Islington, Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*Mordecai Henry Jones*, Little St. Andrew-street, St. Giles-in-the-fields, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Vickers*, Rutland-street, Stepney, Middlesex, miller: in the Debtors Prison for London and Middlesex.—*Matteo Bonacich*, Queen's-court, King-street, Covent-garden, Middlesex, interpreter: in the Queen's Prison.—*Thomas Sherriff Jackson*, Lawrence-lane, Cheapside, London, warehouseman: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Robert Haswell, New Kent-road, Surrey, plumber: in the Gaol of Horsemonger-lane.

(On their own Petitions).

Jos. Ludlam, Blackpool, Lancashire, lodging-house keeper: in the Gaol of Lancaster.—*James Lees*, Manchester, saddler: in the Gaol of Lancaster.—*Martha Worsnip*, Bottom-o'-the-Moor, Oldham, Lancashire, machine maker: in the Gaol of Lancaster.—*James Saunders*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Thomas Sellars*, Preston, Lancashire, lodging-house keeper: in the Gaol of Lancaster.—*Thos. Thompson*, Manchester, livery-stable keeper: in the Gaol of Lancaster.—*Elizabeth Millett*, Hulme, Manchester, in no business: in the Gaol of Lancaster.—*Robert Core*, Birkenhead, near Liverpool, accountant: in the Gaol of Lancaster.—*Grace Williamson*, widow, Goff's Oak, Cheshunt, Herts, out of business: in the Gaol of Hertford.—*Henry Mason*, Woodside, near Wolviston, Durham, farmer: in the Gaol of Durham.—*William Constable*, Barcombe, near Lewes, Sussex, huckster: in the Gaol of Lewes.—*William Parsons*, Hereford, bailiff: in the Gaol of Hereford.—*Wm. Shearwood*, Moorside, Barnsley, Yorkshire, stone merchant: in the Gaol of York.—*John Hornby*, York, farmer: in the Gaol of York.—*John Case*, Bothenhampton, Dorsetshire, farmer: in the Gaol of Dorchester.—*Saml. Dell*, Reading, Berkshire, coach-builder: in the Gaol of Reading.—*John Bainton Gillett*, Bradford, Yorkshire, dyer: in the Gaol of York.—*Hannah Cooper*, Birstall, near Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Thomas Cockbain*, Keswick, Cumberland, tailor: in the Gaol of Carlisle.—*James Brown Morgan*, Edgehill, near Liverpool, plumber: in the Gaol of Lancaster.—*N. Wigglesworth*, Leeds, Yorkshire, flax and hemp dresser: in the Gaol of York.—*Walter John Phillips*, Court Farm, Marden, Herefordshire, farmer: in the Gaol of Hereford.—*Mary Ashbridge*, Whitehaven, Cumberland, innkeeper: in the Gaol of Carlisle.—*Robert Ashbee*, Exeter, railway superintendent: in the Gaol of Exeter.—*George Henry Bridge*, Dover, Kent, farmer: in the Gaol of Dover.—*George Vernon*, Chorlton-upon-Medlock, Manchester, out of business: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 15 *at* 10, *before Mr. Commissioner* LAW.

Melchor Lopez, Windsor-terrace, City-road, Middlesex, importer of cigars.

Nov. 15 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Dailey, Old Ford, near Bow, Middlesex, out of business.—*Walter Rothe Clarke*, Alfred-street, Islington, Mid-

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dlesex, dealer in wines.—*Thomas Winter*, Farringdon-street, London, out of business.—*David Bowen*, Englefield-road, Kingsland-road, Middlesex, coal dealer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Derbyshire, at DERBY, *Nov.* 17 *at* 11.

Ann Turner, widow, Great Hucklow, Hope, farmer.

At the County Court of Dorsetshire, at DORCHESTER, *Nov.* 14.

Francis Brown, Lytchett Matravers, near Poole, carrier.

At the County Court of Kent, at DOVER, *Nov.* 15 *at* 12.

George Henry Bridge, Dover, in no business.

At the County Court of Yorkshire, at YORK CASTLE, *Nov.* 16 *at* 9.

William Foster Percevell, York, tallowchandler.—*John Titterington*, York, commission agent.—*William Kearton*, Richmond, butcher.—*John Fieldhouse*, Bramley, near Leeds, out of business.—*John Watson Burton*, Leeds, out of business.—*James Lightowlers*, Northowram, near Halifax, out of business.—*Jos. Holdsworth*, Cleckheaton, near Leeds, cloth spinner.—*Wm. Tetley*, Bradford, overlooker.—*Jas. Clayton*, Bradford, out of business.—*William Greaves*, Leeds, commission agent.—*William Marshall*, York, tailor.—*Henry Murphy*, York, unemployed.—*Thomas Cremont*, Doncaster, out of business.—*John Beinton Gillett*, Bradford, out of business.—*John Hornby*, York, out of business.

MEETING.

Charles Wetherell, Eaton-place, Belgrave-square, Middlesex, clerk, rector of Byfield, Northamptonshire, Nov. 17 at 12, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.

FRIDAY, NOVEMBER 2.

BANKRUPTS.

WILLIAM HALE, Woolwich, Kent, rocket and shell manufacturer, Nov. 17 and Dec. 18 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Hudson, 16, Finsbury-place South.—Petition dated Oct. 19.

WILLIAM JOHN SAGE, Great Portland-street, Regent-street, Middlesex, chemist and druggist, Nov. 17 and Dec. 18 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Rawlings, 7, John-street, Bedford-row.—Petition dated Oct. 30.

JOHN WILLIAM PRIOR, Newington Causeway, Surrey, silversmith and jeweller, Nov. 8 at 11, and Dec. 18 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Peddell, 142, Cheapside.—Petition dated Oct. 24.

JAMES ROBERTSON FRYERS, Little Love-lane, Wood-street, London, stay manufacturer, Nov. 12 at half-past 12, and Dec. 24 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Hubbard, 18, Bucklersbury.—Petition dated Oct. 23.

EDWIN RYDER, Birmingham, jeweller, factor, dealer and chapman, Nov. 13 at 11, and Dec. 10 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Reece, Birmingham; Letts, Bartlett's-buildings, London.—Petition dated Oct. 26.

OLIVER ROBBINS, Wolverhampton, Staffordshire, japanner and tinplate-worker, Nov. 14 and Dec. 13 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Harrison, Birmingham.—Petition dated Oct. 29.

JOSEPH CROOK, Plymouth, Devonshire, merchant, dealer and chapman, Nov. 13 and Dec. 4 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Lavers, Plymouth; Stogdon, Exeter.—Petition dated Oct. 30.

THOMAS TREFFRY, Tregoney, Cornwall, seedsman, corn merchant, dealer and chapman, Nov. 14 and Dec. 12 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Edmonds & Son, Plymouth; Stogdon, Exeter.—Petition dated Oct. 29.

CORNELIUS ROBERTON, Masbro', Rotherham, Yorkshire, steel manufacturer, Nov. 17 and Dec. 15 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Unwin, Sheffield.—Petition dated Oct. 27.

MEETINGS.

Richard Caleb Sweett, Birmingham, builder, Nov. 24 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*Thomas Osborn*, Birmingham, swordmaker, Nov. 24 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*Henry Solomon*, *James Smith*, and *Jas. Dunstan Galer*, Birmingham, grocers, Nov. 7 at 12, District Court of Bankruptcy, Birmingham, pr. d.—*Hugh Hill*, Prospect-place, Old Kent-road, Surrey, coach broker, Nov. 13 at 11, Court of Bankruptcy, London, last ex.—*James Deeves Ireland*, Lewisham, Kent, licensed victualler, Nov. 20 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Charles Rowland*, Horsham, Sussex, stonemason, Nov. 21 at 1, Court of Bankruptcy, London, and. ac.—*Henry Coppin*, Colchester, Essex, bootmaker, Nov. 21 at 2, Court of Bankruptcy, London, aud. ac.—*James Strange*, Abingdon, Berkshire, wine merchant, Nov. 21 at 12, Court of Bankruptcy, London, and. ac.; Nov. 23 at 12, fin. div.—*George Gage Coldrey*, Lawrence-lane, London, merchant, Nov. 21 at 11, Court of Bankruptcy, London, aud. ac.; Nov. 23 at 11, div.—*Richard Simpson*, Great Bell-alley, London, merchant, Nov. 14 at 1, Court of Bankruptcy, London, and. ac.—*Shadrack Clark*, Wheathampstead, Hertfordshire, papermaker, Nov. 21 at 11, Court of Bankruptcy, London, aud. ac.—*Campbell Wright Hobson*, Raymond-buildings, Gray's-inn, and Gordon-place, Middlesex, money scrivener, Dec. 4 at 11, Court of Bankruptcy, London, aud. ac.—*Charles Cotton Butterfield*, Petersfield, Southampton, banker, Dec. 4 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Stother* and *William Richards*, Manchester, joiners, Nov. 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Lahey*, Manchester, grocer, Nov. 15 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*John Shore*, Rochdale, Lancashire, flannel manufacturer, Nov. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Edward Orme*, Knutsford, Cheshire, innkeeper, Nov. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Samuel Bardsley*, Manchester, agent, Nov. 14 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Alfred Baldwin East*, Birmingham, scrivener, Nov. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Henry Turner*, Wolverhampton, Staffordshire, scrivener, Nov. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*William Ashmore*, Birmingham, carrier, Nov. 14 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Francis*, Birmingham, nail manufacturer, Nov. 27 at 12, District Court of Bankruptcy, Birmingham, and. ac.; Dec. 12 at 12, div.—*Abraham Bettridge*, Edgbaston, Birmingham, Warwickshire, and Wolverhampton, Staffordshire, manufacturer of the British patent lap joint welded iron tube, Nov. 20 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*John Roberts* and *William Hammill Roberts*, Liverpool, ironmongers, Nov. 30 at 11, District Court of Bankruptcy, Liverpool, aud. ac. separate estate of *John Roberts*.—*Joseph Dobson*, Liverpool, drysalter, Nov. 16 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Drinkwater*, Liverpool, draper, Nov. 16 at 12, District Court of Bankruptcy, Liverpool, and. ac.—*Henry Delamain*, Liverpool, merchant, Nov. 16 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*James Skinner* the younger, Bristol, linendraper, Nov. 15 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Fred. Wm. Luck*, Cheltenham, Gloucestershire, tailor, Nov. 21 at 12, District Court of Bankruptcy, Bristol, and. ac.—*Thomas Dowell*, Monmouth, innkeeper, Nov. 21 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thomas Coates*, Sunderland, Durham, porter merchant, Nov. 29 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*George Burnett* and *Henry A. Thompson*, Newcastle-upon-Tyne, alkali manufacturers, Nov. 27 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Nov. 29 at 1, div.—*John Steele*, Newcastle-upon-Tyne, innkeeper, Nov. 27 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Nov. 29 at 11, div.—*James Bell*, South Shields, Durham, ship broker, Nov. 27 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Nov. 29 at half-past 10, fin. div.—*Wm. S. Batson*, *John Wilson*, and *John Langhorn*, Berwick-upon-Tweed, bankers, Nov. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. Philipson*, North Shields, Northumberland, printer, Nov. 27 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*John N. Hart*, King-street, Finsbury-square, Middlesex, watch manufacturer, Nov. 23 at half-past 1, Court of Bankruptcy, London, div.—*Joseph Woodhams*, Tenbridge, Kent, grocer, Nov. 23 at half-past 12, Court of Bankruptcy, London, div.—*Robert Tate*, Regent-st., Middlesex, silversmith, Nov. 23 at 1, Court of

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Bankruptcy, London, fin. div.—*George H. Blake*, Mount-st., Grosvenor-square, Middlesex, cabinet maker, Nov. 23 at 11, Court of Bankruptcy, London, div.—*Alexander Beattie* and *Francis M'Naghten*, Nicholas-lane, Lombard-street, London, Nov. 26 at 11, Court of Bankruptcy, London, div. sep. est. of *Francis M'Naghten*.—*Rich. Satchell* the younger, Winsley-street, Oxford-st., and Hyde, near Hendon, Middlesex, cow-keeper, Nov. 24 at 11, Court of Bankruptcy, London, fin. div.—*Ebenezer Rogers*, Newport, Monmouthshire, fire brick manufacturer, Nov. 28 at 11, District Court of Bankruptcy, Bristol, div.—*John Bangley Prichard* and *James R. Croft*, Liverpool, oil merchants, Nov. 23 at 11, District Court of Bankruptcy, Liverpool, div.—*Alfred Leadbeater*, Sheffield, Yorkshire, grocer, Nov. 24 at 12, District Court of Bankruptcy, Sheffield, div.—*Wm. H. Osborn*, Sheffield, Yorkshire, wine merchant, Nov. 24 at 12, District Court of Bankruptcy, Sheffield, div.—*Henry D. Wilkinson*, Sheffield, Yorkshire, silver plater, Nov. 24 at 12, District Court of Bankruptcy, Sheffield, div.—*Charles F. Cotterill* and *Wm. Henry Hill*, Walsall, Staffordshire, merchants, Nov. 27 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Szymanski Leon, Rathbone-pl., Middlesex, tailor, Nov. 24 at 1, Court of Bankruptcy, London.—*John Hooker*, Deptford, Kent, paperhanger, Nov. 24 at 11, Court of Bankruptcy, London.—*Chas. Cheel*, Paddington-green, Paddington, Middlesex, victualler, Nov. 24 at half-past 11, Court of Bankruptcy, London.—*Thos. Inglis*, New-st., St. Martin's-in-the-fields, Middlesex, baker, Nov. 24 at half-past 1, Court of Bankruptcy, London.—*John Dolphin*, Hunter-house, near Blanchland, Durham, banker, Nov. 30 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*George P. Waterhouse*, Birmingham, coal merchant, Nov. 24 at half-past 10, District Court of Bankruptcy, Birmingham.—*James Roberts*, Smethwick, Staffordshire, steel manufacturer, Nov. 24 at 10, District Court of Bankruptcy, Birmingham.—*W. Turnpenny*, Birmingham, jeweller, Nov. 24 at 10, District Court of Bankruptcy, Birmingham.—*Benj. Holmes*, Birmingham, shoemaker, Nov. 27 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Davis, Bistern-close, near Ringwood, Southampton, oatmeal manufacturer.—*George Henry Bore*, Stanway, Essex, surgeon.—*John Fitzgerald*, Portland-place, Middlesex, and Pendleton, Lancashire, coal merchant.—*Robert Williams*, Liverpool, tailor.—*Jas. Honiss*, Cheltenham, Gloucestershire, paper stainer.

Joseph Williams, Westminster-bridge-road, Surrey, licensed victualler, (unless cause be shewn to the contrary on or before the 23rd November, 1849).

FIAT ANNULLED.

Edw. Pickering, Boston, Bramham, Yorkshire, silk mercer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Mercer, Birmingham, fishmonger, Nov. 12 at 2, County Court of Warwickshire, at Birmingham.—*Isaac John Woodward*, Birmingham, out of business, Nov. 12 at 2, County Court of Warwickshire, at Birmingham.—*James Chamberlain*, Birmingham, butcher, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*George Payton*, Harborne, Staffordshire, carpenter, Nov. 12 at 2, County Court of Warwickshire, at Birmingham.—*Robt. Smith*, Yetminster, Dorsetshire, yeoman, Nov. 14 at 10, County Court of Somersetshire, at Yeovil.—*Francis Robert Ellis*, Ipswich, Suffolk, shoemaker, Nov. 16 at 10, County Court of Suffolk, at Ipswich.—*Joseph Skinner*, Portsea, Hampshire, grocer, Nov. 28 at 11, County Court of Hampshire, at Portsmouth.—*William Fox*, St. Lawrence, near Ramsgate, Kent, baker, Nov. 9 at 11, County Court of Kent, at Ramsgate.—*John T. Bing*, Margate, Kent, hairdresser, Nov. 8 at 11, County Court of Kent, at Margate.—*Joshua George*, Bedford, assistant to a tea dealer, Nov. 23 at 10, County Court of Bedfordshire, at Bedford.—*Hen. Meeson Ellis*, Walsall, Staffordshire, grocer, Nov. 17 at 2, County Court of Staffordshire, at Oldbury.—*W. Adnams*, Gosport, Alverstoke, Southampton, pork butcher, Nov. 28 at 11, County Court of Hampshire, at Portsmouth.—*Samuel Owens*, Cardiff, Glamorganshire, boiler maker, Nov. 17 at 10, County Court of Glamorganshire, at Cardiff.—*John Williams*, Dinas Powis, St. Andrew's, Glamorganshire, carpenter, Nov. 17 at 10, County Court of Glamorganshire, at Cardiff.—*Joseph Cheadle*, Sedgley, Staffordshire, shoemaker, Nov. 16 at 2, County Court of Worcestershire, at Dudley.—*Edward Hawkins*, West Bromwich, Staffordshire, coal dealer, Nov. 14 at 2, County Court of Staffordshire, at Oldbury.—*John Brown*, Ipswich, Suffolk, whitesmith, Nov. 16 at 10, County Court of Suffolk, at Ipswich.—*F. R. Waite*, Huddersfield, Yorkshire, brassfounder, Nov. 22 at 10, County Court of Yorkshire, at Huddersfield.—*Nathaniel Pycroft*, Norwich, butcher, Nov. 23 at 10, County Court of Norfolk, at Norwich.—*Wm. Moreton*, Breewood, Staffordshire, shoemaker, Nov. 13 at 12, County Court of Staffordshire, at Wolverhampton.—*James Tarte*, Rock, Worcestershire, mine sinker, Nov. 14 at 2, County Court of Staffordshire, at Oldbury.—*Thos. Morgan*, Maesteg, Glamorganshire, shoe-maker, Nov. 17 at 10, County Court of Glamorganshire, at Cardiff.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 16 *at* 10, *before Mr. Commissioner* LAW.

Wm. White, Stratford, West Ham, Essex, licensed retailer of beer.—*James Cooper*, Queen-street, Chelsea, Middlesex, general shopkeeper.—*G. Hunt*, Enfield, Middlesex, farmer.—*Matthew Warr*, Jewin-crescent, Jewin-street, London, warehouseman.—*Robt. Sherwood*, Little Turnstile, Holborn, Middlesex, greengrocer.

Nov. 17 *at* 10, *before Mr. Commissioner* LAW.

Lewis Davis, Mitre-street, Aldgate, London, fruiterer.

Nov. 17 *at* 11, *before Mr. Commissioner* PHILLIPS.

Edw. W. Saunders, Long-acre, Middlesex, engraver.—*A. Brown*, Regent-street, Vauxhall-bridge-road, Middlesex, shoemaker.—*Nathaniel Beaton*, Spring-place, Kentish-town, Middlesex, retailer of beer.—*John Willis*, Mary-street, Stangate, Lambeth, Surrey, licensed retailer of beer.—*J. Kirkbridge*, Upper Wellington-street, Middlesex, tailor.—*David Long*, Ponsonby-place, Vauxhall-bridge-road, Westminster, Middlesex, carpenter.—*Hannah Edwards*, widow, James-street, Goswell-road, Middlesex, shirt maker.—*Fred. Wm. Hovey*, Garden-row, Deptford New-town, Kent, in no business.—*J. Hutton*, Denmark-street, Soho, Middlesex, clerk to a loan society.—*Samuel George Hunt*, Woolwich New-town, Woolwich, Kent, baker.

Nov. 19 *at* 10, *before Mr. Commissioner* LAW.

Joshua L. Evans, King-street, Dunstan-street, Kingsland, Middlesex, newsvender.—*John Henry Matthiason*, Binfield-road, Stockwell, Surrey, builder.

Nov. 19 *at* 11, *before Mr. Commissioner* PHILLIPS.

Wm. Flowerdew, Commercial-place, Kingsland-road, Middlesex, painter.—*Andrew Lighton*, Cambridge-terrace, Edgeware-road, Middlesex, law student.—*Samuel Abbott*, East Barnet, Hertfordshire, railway labourer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 19 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. Seaborn, Denmark-street, Cold Harbour-lane, Camberwell, Surrey, carpenter.—*H. T. Ryder*, Hatfield-street, Stamford-street, Blackfriars-road, Surrey, and Dowgate-hill, London, carpenter.—*Geo. N. C. Davis*, Upper North-place, Gray's-inn-road, Middlesex, retired paymaster.

INSOLVENT DEBTORS' DIVIDENDS.

H. Duckworth, Manchester, boiler and gasometer maker: 8*d.* in the pound.—*James Croft Webber*, Lichfield-st., Soho, Middlesex, saddler: 1*s.* 0½*d.* in the pound.—*Philip Joseph Parker*, Ledbury, Herefordshire, baker: 9*s.* 11*d.* in the pound.—*Thomas Blanchard*, Poole, Dorsetshire, hosier: 1*s.* 2*d.* in the pound.—*Charles Read*, Blizard's-place, Fulham-road, Chelsea, Middlesex, grocer: 11*d.* in the pound.—*Richard Challenger*, Wrington, Somersetshire, plumber: 3*s.* 3*d.* in the pound.—*John Deane*, Tottenham-court-road, Middlesex, tobacconist: 2*s.* 7*d.* (making 6*s.* 2*d.*) in the pound.—*Elizabeth Flay*, Calne, Wiltshire, innkeeper: 1*s.* 1½*d.* in the pound.—*James Haigh*, Wakefield, Yorkshire, plumber: 1*s.* 10½*d.* in the pound.—*Abraham Payne*, Nuneaton, Warwickshire, beer-

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house keeper: 5*s.* in the pound.—*Julius Hutchinson*, Connaught-square, Edgeware-road, Middlesex, attorney at law: 6*d.* in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 *and* 3.

James Ebenezer Whittenbury, Pancras-lane, London, commission agent, Nov. 2, at Smith & Co.'s, 3, Basinghall-street: 1*s.* 0¾*d.* (in addition to former divs., amounting to 5*s.*) in the pound.

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The Jurist

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LONDON, NOVEMBER 10, 1849.

We are induced by the interest, both public and professional, which has lately attached to trial by jury de medietate linguæ, to offer a few observations upon the subject. This mode of trial "is a privilege," says Blackstone, (3 Comm. 360), "indulged to strangers in no other country in the world, but which is as ancient with us as the time of King Ethelred, in whose Statute de Monticolis Walliæ (then aliens to the Crown of England) it is ordained, that 'duodeni legales homines, quorum sex Walli et sex Angli erunt, Anglis et Wallis jus dicunto.'" And in the reign of Edward I, "a Jew had his trial per medietatem linguæ, i. e. of Jews; and they were sworn by the five books of Moses, holden in their arms, and by the name of the God of Israel, who is merciful." (Note (59) to Dyer, fol. 144 a). By the 27 Edw. 3, stat. 2, c. 8, and the 28 Edw. 3, c. 13, s. 2, it was enacted, that, in all manner of inquests and proofs which be taken amongst aliens and denizens, the one half of the inquest or proof shall be denizens, and the other half aliens, if so many aliens and foreigners be in the town where such inquest is to be taken. This is cited by Mr. Reeves in his History of English Law, (vol. 2, p. 641), as a proof of the liberal spirit towards foreigners which had been distinguishing itself throughout the whole of this reign, particularly in matters that concerned the interests of commerce. These statutes of Edward III were confirmed by the 8 Hen. 6, c. 29, which speaks of them as having been enacted "in favour and liberty of the merchant strangers repairing into the realm of England," and "to give to the said merchant aliens the greater courage and desire to come with their wares and merchandises into this realm." This privilege of aliens was taken away in cases of treason by the 1 & 2 Ph & M. c. 10; (see *Sherley's case*, Dy. 144 a); yet it seems the King may, if he think fit, make a special grant to an alien to be tried for treason by a jury whereof one-half shall be aliens. (2 Hawk. P. C. 579, 8th ed.) In civil cases, it was also abolished by the Jury Act, 6 Geo. 4, c. 50, which repeals the statutes of Edward III and Henry VI on the subject, (s. 62); and it is now allowed only upon trials for felony or misdemeanour. (6 Geo. 4, c. 50, ss. 3, 47).

It has been decided during the past week, in the case of *Maria Manning*, that, by the operation of the stat. 7 & 8 Vict. c. 66, s. 16, an alien woman, married to a natural-born subject, loses her privilege in this respect. The words of that section are, "any woman married, or who shall be married, to a natural-born subject or person naturalised, shall be deemed and taken to be herself naturalised, and have all the rights and privileges of a natural-born subject." And the Court considered its effect to be to change the status of the wife, and to make her, to all intents and purposes, a British subject.

The following decisions upon this privilege of aliens will still be applicable, notwithstanding the changes which have been introduced. If, upon an indictment against an alien, he plead "not guilty," and a common jury be returned, if he does not surmise his being an alien before any of the jury be sworn, he has lost that advantage; but if he allege that he is an alien, he may challenge the array for that cause, and thereupon a new precept or venire facias shall issue, or an award be made of a jury de medietate; but it is more proper for him to surmise it upon his plea pleaded, and thereupon to pray it. (2 Hale's P. C. 271). The statutes mentioning only aliens generally, the foreigner is not en-

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titled to have a "mediety" of his own countrymen, but only of foreigners; (2 Hawk. P. C. 580, 8th ed.); and those who find the indictment may be Englishmen. (Id. 579). If an alien be indicted with an Englishman, the trial shall be by an English jury. (*Barre's case*, Moore, 557; Bac. Abr., "Juries," E.; and see Vin. Abr., "Trial," N. 6, 7).

The propriety of preserving this distinction with regard to aliens has lately been questioned, and it is urged with some force, that an English jury, so far from feeling prejudiced against a foreigner, at the present day, would rather lean in his favour. However that may be, a verdict by foreigners, founded upon evidence, in the English language, of an offence against our laws, would hardly, we should think, be so satisfactory as the verdict of an English jury.

ADMISSIBILITY IN EVIDENCE OF UNSTAMPED DOCUMENTS.

In cases at Nisi Prius counsel have long been embarrassed in determining as to the admissibility in evidence of documents, the effect of which, though indirectly, is to establish the receipt of money, where the document has not impressed upon it the stamp required by the Stamp Act; for such has been the nature of the decisions in the various cases in which this question has arisen, that it has been difficult to discover the general principle by which the decisions have been regulated. A late judgment of the House of Lords in the case of *Matheson* v. *Ross*, which will be found in 6 Bell's Scots Appeal Cases, will go far to remove, if it will not entirely remove, this difficulty for the future.

The cases which have occurred may be divided into two classes—those in which the document tendered in evidence has been an account containing a variety of items in figures, and those in which the document has been an acknowledgment of some sort in express words.

In *Wright* v. *Shawcross*, which is to be found as a note to 2 B. & Ald. 501, a paper stating the full amount of a debt, and then containing successive entries "by cash," at each of which the balance remaining unpaid was brought out, was rejected as evidence; and the Court in Banc sustained the rejection, because the paper contained "acknowledgments at successive times upon payment of money." But, in *Wellard* v. *Moss*, (1 Bing. 134), an account of sums advanced to, and of disbursements made for, the plaintiff by the defendant, which contained at the foot of it, "I acknowledge the above account being correct, and am fully satisfied therewith," was received as evidence; because, as was observed by Park, J., "to hold that a receipt stamp is necessary on such occasions would lead to the greatest inconvenience;" an observation which is either worth nothing at all, or amounts to this—that, if a statutory requirement lead to inconvenience, the Courts may dispense with it.

These are the only cases in which the evidence tendered was to be derived by inference from the accuracy of an account, without more; and the object in both was direct—to discharge the defendant in the one case, and to charge him in the other with the money sued for: yet they are in direct opposition to each other.

In *Jacob* v. *Lindsay*, (1 East, 460), a case which was relied on in *Wellard* v. *Moss*, the plaintiff tendered his own book of accounts, at the foot of each page of which the defendant had written and signed, "Received the contents above, by me," or "Received the contents," or simply "Received:" the account was tendered as a document by which the plaintiff's clerk might refresh his memory, when swearing to the fact that the defendant had verbally acknowledged to him the accuracy of each item in the accounts at the time at which he signed the pages. The clerk was allowed by the Court to look at the book for this purpose, because that was not using it as evidence to prove the receipt; and as the clerk would unquestionably have been entitled to look at the book if the defendant had not signed the pages, the circumstance of his having done so could not create any difference. In *Clark* v. *Hougham*, (3 D. & Ry. 322), which was an action by a tenant against his landlord to recover back overcharges of public rates, which had been paid by the landlord for the tenant, accounts rendered annually by the landlord, and having the word "paid" at the foot, were tendered as evidence to prove that the landlord had charged the tenant as if the rating had been upon a rental of 3*l.* 10*s.*, whereas the actual rating which the landlord had paid was upon a rental of 2*l.* 10*s.* only, and the tender was allowed. In *Brooks* v. *Davis*, (2 Car. & P. 186), which was an action for payment of a bill of exchange for 13*l.*, the defendant proved that he had sent twenty yards of cloth, of the value of 14*l.*, to the plaintiff's house, along with a paper, which stated the price of the cloth, and deducted from it the amount of the bill, leaving a balance of 1*l.* in his favour; that the cloth and the paper were taken into the plaintiff's house; and that the plaintiff retained the cloth, and wished to retain the paper likewise, until the witness said he must take it back. In corroboration of this the witness produced the paper, which ended thus:—"Balance due, 1*l.* Received, J. Davis." And the document was received by Best, C. J., because "it was not put in as a receipt."

In *Dibdin* v. *Morris*, (2 Car. & P. 44), an action for work and labour, a receipt upon a 1*s.* 6*d.* stamp, for 52*l.* 10*s.*, "being the amount of a benefit at the Haymarket Theatre, which sum, together with 100*l.* already received, is in satisfaction of all my claims for the last season," was admitted as evidence, notwithstanding an objection that the stamp should have been 10*s.*, or at least sufficient to cover 152*l.* 10*s.*; and the ground of its reception was, because it was not a receipt in full of all demands, but only for 52*l.* 10*s.*; and, though it mentioned the previous receipt of the other sum, it was not at all given as a receipt for that sum. In *Rex* v. *Castlemorton*, (3 B. & Ald. 588), where the question was as to a settlement gained by a pauper, which depended upon the value of premises which had been held by him, parol evidence of the contents of a lost unstamped agreement was tendered in proof of the value. Abbott, C. J., refused to receive the evidence, with this observation—"The parties seek to shew the value by proof of a contract previously entered into respecting it. The contract was not, therefore, collateral, but of the very essence of the case."

In *Hawkins* v. *Warre*, (3 B. & C. 690), which was a replevin for corn distrained for rent, the plaintiff pleaded that he did not hold modo et formâ, as alleged by the defendant. In answer to this, the defendant tendered accounts of former years with the plaintiff, shewing a debtor and creditor side, and having these words at the foot—"Received the above.—E. Warre." The plaintiff objected the want of a stamp, and the objection was allowed. Abbott, C. J., held that the evidence had been properly rejected at Nisi Prius, because, taking away the fact that rent was paid, the paper would only be evidence of a claim having been made, but it was produced to prove the fact of the sum having been paid.

In *Jardine* v. *Payne*, (1 B. & Adol. 663), which was an action upon an account stated, for recovery of the amount of an unstamped bill of exchange, the plaintiff produced in evidence a letter from the defendant, addressed to the party entitled to the bill, acknowledging his liability for its amount. The Court refused to allow

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the plaintiff to read the bill, in order to prove its identity with that mentioned in the letter, or to prove that he was the holder of it. In *Jacob* v. *Lindsay*, *Clark* v. *Hougham*, *Brooks* v. *Davis*, and *Dibdin* v. *Morris*, there is an admission of unstamped documents to prove matter collateral to the fact of payment of money, although, in all of these cases, without questioning the correctness of the decision, it is not so very apparent that the matter sought to be proved was entirely collateral; but in *Rex* v. *Castlemorton*, *Hawkins* v. *Warre*, and *Jardine* v. *Payne*, in which the matter was beyond all question collateral, the evidence was rejected.

These are all the *civil* cases in which this question has arisen; but there are likewise some *criminal* cases, between which the inconsistency and irreconcileability are even more striking.

In *Rex* v. *Pooley*, (East's P. C., in an addition to the Preface, p. 17), which was a prosecution by the post-office against one of its clerks for stealing a letter, evidence was offered of this by his possession of a bill without a stamp which had been inclosed in the letter. The counsel for the prisoner objected that the bill could not be looked at, because it had not any stamp; but the objection was overruled, the Court being of opinion that the bill might be received in evidence for a collateral purpose, though not for the purpose of recovering the money contained in it. In *Rex* v. *Hawkeswood*, (Leach's C. C. 257), which was a trial for forgery of a bill of exchange, the Court overruled an objection, that the bill could not be looked at as it was not stamped, because the statute meant only that the bill should not be made use of to recover the debt. In *Rex* v. *Morton* and *Rex* v. *Reculy*, both in the same book, similar decisions were made; but in *Rex* v. *Hall*, (3 Stark. 68), which was a prosecution against a clerk for money received by him from a customer, and not accounted for, the Court refused to allow the receipt, which had been given by the clerk without a stamp, to be looked at. In *Rex* v. *Hall* the matter at issue was not the payment of money between the master and his customer, but the crime of fraudulent receipt and non-payment by the master's clerk—a matter as purely collateral to the fact of payment as was the matter sought to be proved in *Rex* v. *Pooley*, *Rex* v. *Hawkeswood*, *Rex* v. *Morton*, and *Rex* v. *Reculy*, in all of which the evidence was received as unobjectionable, although in *Rex* v. *Hall* it was rejected as inadmissible.

Such was the state of the cases at the time *Matheson* v. *Ross* came before the House of Lords, and if any one can extract from them a simple uniform rule of practice, he will discover greater acuteness than the Peers in that case took credit for to themselves. In *Matheson* v. *Ross*, which was an action for the price of labour, the defendants wished to shew that the whole money had been paid; for this purpose they tendered a "state of settlement with A. Ross," which contained various entries on either side, and wound up with the following —"Balance, 68*l.* 9*s.*" An unstamped acknowledgment of the receipt of this sum, expressed as "being balance amount of pay bills, paid from the 7th August to the 11th December," had originally been at the foot of the "state of settlement," but for some reason had been disjoined. The defendants likewise tendered this document for the purpose of having the benefit of the plaintiff's signature, as acknowledging the "state of settlement;" but they disclaimed all wish or any necessity for proving by this paper the receipt of the balance of 68*l.* 9*s.*, because the plaintiff himself had already proved that particular payment. The plaintiff objected that the paper could not be looked at for any purpose, as it purported, by its terms, to be an acknowledgment of money, but was not stamped. Lord Cottenham said the cases seemed, in most instances, to be so little regulated by any fixed rule or principle, that it would be a hopeless task to endeavour to reconcile them; but it appeared to him, that from all the cases a certain principle might be extracted. His Lordship then divided the documents, upon which the question might be raised, into three classes—first, a mere discharge for debt, about which there could be no dispute; secondly, where it is necessary to prove payment, not for the purpose of shewing a discharge as between debtor and creditor, but for what is called "a *collateral purpose*." That expression, his Lordship said, seemed to have been very much misunderstood, and to have led to a great deal of the confusion to be found in the cases. "It certainly is a collateral purpose," continued his Lordship, "if you produce a receipt, not to shew a discharge as between debtor and creditor, but for the purpose of establishing some other fact collateral to the question of payment, as in one of the cases" (*Hawkins* v. *Warre*) "I recollect, with regard to the payment of rent by a tenant, where a receipt, purporting to be a receipt for former rent, was produced, not for the purpose of shewing the discharge of that particular rent, but for the purpose of establishing the fact of tenancy. That is quite collateral to the fact of payment, no doubt. The great majority of the cases go to shew this—that if, in a case, the matter to be proved be the payment of money, and the receipt of the money so paid is proved by a document, the Stamp Acts do immediately apply to it, whether it is for a direct purpose, as between debtor and creditor, or whether it is for a purpose collateral. But there is another class of cases within which it appears to me the present falls—where the document is, indeed, a receipt, and purports, on the face of it, to be a receipt, but also purports something else —that is to say, as in the cases where an account of debtor and creditor appears set out between the parties, making a certain balance due, and the paper contains a receipt for that supposed balance. Whether that balance was paid or not, if the object of the parties be, not to prove the fact of that particular balance having been paid, but merely to shew that the parties to the account acknowledge the state of account as appears by the account, the receipt may be received for the purpose for which it is produced. Why because a paper, purporting to be a receipt, which cannot be used for the purpose of proving that receipt without a stamp, should not be used for another purpose, equally apparent upon the face of the paper, which does not require a stamp, is a proposition which it seems to me it is extremely difficult to support by any argument, certainly not by any language to be found in the Stamp Acts, or, I believe, by any authority, although there are some which it might be difficult to deal with. It does not appear to me at all to infringe upon the Stamp Acts, to hold this document admissible for the purpose of evidence, so far as it contains matter not connected with the receipt of money."

Lord Brougham puts the matter more tersely, in these words:—"The rule I take to be clearly this—that where a document is used for the purpose of proving a receipt of money in any way, it requires a stamp; and when the cases, as some of them do, lay it down, that where it is used for a collateral purpose, it does not require a receipt stamp, I do not think that that is a perfectly accurate, and not always a very intelligible expression, because it may be for a collateral purpose, and yet if it is used in a way to mix up with it the receiving or paying of money, so that upon the whole a receipt of money is the matter for which, or in respect of which, or connected with which, the document is used, it requires, past all doubt, to have a stamp, because it is, in one way or another, used as a receipt. But if the same document is used for a totally different purpose, it is to me perfectly clear that it is not to be regarded as a receipt."

This case, therefore, may be taken as having the previous uncertainty of the rule as to the reception of

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unstamped documents, and as having conclusively established, that a document is receivable in evidence, though in its terms it purports to be a receipt for money paid, and although it should not be impressed with the stamp required by the statute in respect of the sum mentioned in it; provided the payment of the money mentioned in the document is not the fact in issue beween the parties, but the state of the account between them generally, (the particular payment being proved aliunde), or some other object equally collateral to the fact of the particular payment.

London Gazettes.

TUESDAY, November 6.

BANKRUPTS.

HUGH BIERS, Carlton-villas, Edgeware-road, Paddington, Middlesex, builder, Nov. 20 at half-past 2, and Dec. 20 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Blake, 6, King's-road, Bedford-row.—Petition dated Nov. 2.

LUKE DAVY, King-street-terrace, New North-road, Middlesex, and JOB DAVY, South-street, New North-road, Middlesex, builders, dealers and chapmen, Nov. 16 at 3, and Dec. 20 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Minter, 9, Bell-yard, Doctors'-commons.—Petition dated Nov. 1.

WILLIAM HARDING, Crawford-street, St. Marylebone, Middlesex, corn dealer, dealer and chapman, Nov. 13 at half-past 11, and Dec. 24 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Long, 56, Clarendon-sq., Euston-sq.—Petition dated Nov. 1.

WOLF HYAMS, Portsea, Newport, Isle of Wight, Hampshire, hardwareman, dealer and chapman, Nov. 13 and Dec. 24 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Jones, 9, Quality-court, Chancery-lane.—Petition dated Nov. 3.

CHARLES DAVIS, Frederick-place, Newington, Surrey, importer of leeches, dealer and chapman, Nov. 12 and Dec. 24 at half-past 12, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Young, 30, Parliament-st., London.—Petition dated Oct. 24.

WILLIAM HARDYMAN COLYER and FRANCIS WEBSTER, White Hart Brewery, Wood-st., Milbank, Westminster, brewers, Nov. 17 at half-past 11, and Dec. 20 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Sadgrove, 52, Mark-lane.—Petition dated Nov. 1.

SAMUEL MULLEN, Ironmonger-lane, Cheapside, London, hotel-keeper, Nov. 17 at 1, and Dec. 20 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Evans, 26, Gresham-st.—Petition dated Oct. 27.

JOSIAH CHARTER, Grimstone, Norfolk, grocer, draper, and general shopkeeper, Nov. 15 at 1, and Dec. 13 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Pilcher, Lynn; Clowes & Co., Temple.—Petition dated Oct. 22.

ELIZABETH HARRIS RYDER, Birmingham, jeweller, pawnbroker, dealer and chapwoman, Nov. 21 and Dec. 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith & James, and Harrison, Birmingham.—Petition dated Nov. 2.

JOSEPH JACKSON, Birmingham, builder, dealer and chapman, Nov. 22 and Dec. 18 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Smith & James, Birmingham.—Petition dated Nov. 5.

THOMAS ROSS the younger, Burton Joyce, Nottinghamshire, braid manufacturer, dealer and chapman, (in partnership with one William Foulgham), Nov. 23 and Dec. 14 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Petition dated Nov. 5.

NATHAN WIGGLESWORTH, Leeds, Yorkshire, flax dresser, Nov. 16 and Dec. 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Payne & Co., Leeds.—Petition dated Oct. 29.

ROBERT BRIERLEY, Rochdale, Lancashire, innkeeper, Nov. 22 and Dec. 13 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Hunt, Rochdale.—Petition dated Oct. 30.

Meetings.

John Turner, Oldham, Lancashire, cotton spinner, Nov. 22 at 11, District Court of Bankruptcy, Manchester, and. ac.; Nov. 30 at 11, div.—*Thos. Taplin Cooke*, Manchester, bill vendor, Nov. 19 at 12, District Court of Bankruptcy, Manchester, and. ac.; Nov. 27 at 12, fin. div.—*Alex. Charles Handley*, Maldon, Essex, draper, Nov. 27 at half-past 11, Court of Bankruptcy, London, div.—*Edward Lewis Blackman*, Lombard-st., London, tailor, Nov. 27 at 11, Court of Bankruptcy, London, div.—*Francis Wakefield* and *Charles Greeves Wakefield*, Old Broad-st., London, brokers, Nov. 27 at 11, Court of Bankruptcy, London, divs. joint est. and sep. est. of *Francis Wakefield*.—*Dalton Mertindale*, Star-court, Bread-st., London, warehouseman, Nov. 30 at 11, Court of Bankruptcy, London, div.—*James Bateman*, Southampton-buildings, Middlesex, broker, Nov. 27 at 1, Court of Bankruptcy, London, fin. div.—*James Mathew*, Carshalton, Surrey, linendraper, Nov. 27 at 2, Court of Bankruptcy, London, div.—*William Line*, Ealing Great Park, and Pavilion-place, Turnham-green, Middlesex, brickmaker, Nov. 27 at 1, Court of Bankruptcy, London, div.—*Peter Chaloner*, Clirow, Radnorshire, innkeeper, Nov. 28 at half-past 11, District Court of Bankruptcy, Bristol, div.—*Lewis Jones*, Liverpool, merchant, Nov. 30 at 12, District Court of Bankruptcy, Liverpool, div.—*Henry Hilliar* the younger, Birkenhead, Cheshire, innkeeper, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, div.—*Henry James Witchell*, Carnarvon, bookseller, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Ridgway*, Hanley and Shilton, Staffordshire Potteries, Staffordshire, manufacturer of earthenware, Nov. 28 at 12, District Court of Bankruptcy, Birmingham, div.—*Robert Dickinson*, Poulton-in-the-Fylde, Lancashire, maltster, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Brook, Stourbridge, Worcestershire, draper, Nov. 28 at half-past 12, Court of Bankruptcy, London.—*Solomon Abraham Hart*, Cullum-street, Fenchurch-st., London, merchant, Nov. 28 at 1, Court of Bankruptcy, London.—*Francis Jenkinson*, Foubert's-place, Regent-street, Middlesex, baker, Nov. 28 at 12, Court of Bankruptcy, London.—*James Killick*, Dorking, Surrey, carpenter, Nov. 27 at 11, Court of Bankruptcy, London.—*Jas. Dowle*, Chepstow, Monmouthshire, wine merchant, Nov. 27 at 11, District Court of Bankruptcy, Bristol.—*William Newton*, Bath, builder, Nov. 29 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

John Pinkerton, High-st., Southwark, Surrey, glass cutter.—*Samuel West Rickman*, Hailsham, Sussex, innkeeper.—*Wm. Ramsden*, Wakefield, Yorkshire, painter.—*John Longbottom*, Leeds, Yorkshire, machine manufacturer.—*J. Hickson*, Greengates, Eccleshill, Bradford, Yorkshire, apothecary.—*Wm. Hardwick*, Great Russell-st., Bloomsbury, Middlesex, laceman.—*Josiah Tibbs*, Railway-place, Fenchurch-st., London, wine merchant.—*Thos. Davis*, *James Glossop*, and *Jas. Brankley*, Morris Mill, Pilsworth, near Bury, Lancashire, dyers.

Scotch Sequestrations.

Susan Dunn or *Downie*, deceased, Glasgow.—*William Anderson*, Newburgh, Fifeshire, stockbroker.—*David Gardner*, Rutherglen, Lanarkshire, baker.—*John Kilgour*, Edinburgh, grain commission-agent.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Pullon, York, hatter, Nov. 22 at half-past 9, County Court of Yorkshire, at York.—*Edward Weightman*, Newcastle-upon-Tyne, travelling draper, Nov. 22 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*John Mahlace Dodds*, Newcastle-upon-Tyne, painter, Nov. 22 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Thos. Jones*, Newcastle-upon-Tyne, musician, Nov. 22 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Jas. Ross*, Newcastle-upon-Tyne, out of business, Nov. 22 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*T. Justice*, Newcastle-upon-Tyne, saddler, Nov. 22 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Ebenezer Mitchison*, Newcastle-upon-Tyne, butcher,

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Nov. 22 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Charles Gill*, Weston-super-Mare, Somersetshire, sheriff's officer, Nov. 19 at 2, County Court of Somersetshire, at Weston-super-Mare.—*Frederick Hodge*, Bridgewater, Somersetshire, baker, Nov. 22 at half-past 11, County Court of Somersetshire, at Bridgewater.—*James Mills*, Hunt End, Feckenham, Worcestershire, out of business, Nov. 16 at 10, County Court of Warwickshire, at Alcester.—*Wm. Avery*, Redditch, Worcestershire, clerk to a needle manufacturer, Nov. 27 at 9, County Court of Worcestershire, at Redditch.—*Wm. Taylor*, Coventry, Warwickshire, watch manufacturer, Nov. 22 at 10, County Court of Warwickshire, at Coventry.—*Samuel Chalton*, Lower Bebbington, Bebbington, Cheshire, grocer, Nov. 23 at 10, County Court of Cheshire, at Birkenhead.—*Rich. Bateman*, Stourbridge, Worcestershire, carpenter, Nov. 19 at 10, County Court of Worcestershire, at Stourbridge.—*Alfred Waldron*, Stourbridge, Worcestershire, labourer, Nov. 19 at 10, County Court of Worcestershire, at Stourbridge.—*J. Payne*, Llanvaes, Breconshire, baker, Nov. 24 at 10, County Court of Brecknockshire, at Brecknock.—*Allan Cooke*, Chorlton-upon-Medlock, Lancashire, commission agent, Nov. 16 at 11, County Court of Lancashire, at Manchester.—*Mary Anne Bennet*, Gilwern, Llanelly, Breconshire, beer retailer, Nov. 23 at 10, County Court of Buckinghamshire, at Crickhowell.—*Thomas Hull Hunt*, Liverpool, butcher, Nov. 12 at 10, Liverpool District County Court, at Liverpool.—*Thomas Garven*, Chorlton-upon-Medlock, Manchester, commercial traveller, Nov. 16 at 11, County Court of Lancashire, at Manchester.—*James Shaw*, Coventry, Warwickshire, hosier, Nov. 22 at 10, County Court of Warwickshire, at Coventry.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 20 *at* 11, *before Mr. Commissioner* HARRIS.

Robert Collinson, New Oxford-street, Middlesex, upholsterer.—*A. R. Bishop*, Greenwich, Kent, fisherman.—*James Wilson*, Dartford, Kent, draper.—*John Edmonds*, Henry-st., Liverpool-road, Islington, Middlesex, coachman.—*Geo. W. Ilsley*, Upper Rathbone-place, Middlesex, china dealer.—*T. Smith*, Haye's-common, Bromley, Kent, carpenter.—*Henry Dickens*, Holland-street, Blackfriars-road, Christchurch, Surrey, coffee-house keeper.—*George Potipher*, Great Warley, near Brentwood, Essex, coachman.—*James F. Bowers*, Great Hermitage-street, Wapping, Middlesex, clerk to a wharfinger.—*James Martin*, Clifford-street, Walworth, fire-wood dealer.

Nov. 20 *at* 10, *before Mr. Commissioner* LAW.

John Jenkins, Lambeth-walk, Surrey, clothier.

Nov. 21 *at* 11, *before the* CHIEF COMMISSIONER.

Henry Byron, Graham-street, Pimlico, Middlesex, secretary to the Society for the Protection of Agriculture.—*B. J. Taylor*, Liverpool-st., Walworth-road, Surrey, in no trade.—*Henry Ball*, High Holborn, Middlesex, geologist.—*Joseph Pain Pocklington*, Newgate-street, and Compton-place, Islington, Middlesex, meat salesman.—*Wm. Mather*, Upper Ogle-street, Marylebone, Middlesex, bootmaker.—*Richard Gifford*, Grosvenor-street, Commercial-road East, Middlesex, waiter.—*Wm. A. Anstee*, Barnet, Hertfordshire, butcher.—*Henry Collins*, Kingston-upon-Thames, Surrey, grocer.—*R. Newton*, Strand, Middlesex, dairyman.—*J. Whales*, Wood-street, Upper Clapton, Middlesex, carpenter.

Nov. 22 *at* 11, *before the* CHIEF COMMISSIONER.

Richard M. Hillier, Foley-place, Wandsworth-road, Surrey, clerk to the South-western Railway Company.—*Thomas Culpin*, Greenwich, Kent, engineer.—*Wm. H. F. Edwards*, Derwent-villas, Hammersmith, Middlesex, teacher of drawing.—*Wm. Potter*, Webb-street, Bermondsey New-road, Surrey, saddler.—*H. Hamond*, Carlton-place, Park-road, New Peckham, Surrey, clerk in the London Docks.—*Wm. Saunders*, Gloucester-street, Hoxton Old-town, bonnet shape maker.

Saturday, Nov. 3.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Edward Crook, Edgworth, Lancashire, labourer, No. 71,306 C.; James Winder, assignee.

Saturday, Nov. 3.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Luigi Castellani, Queen-street, Golden-square, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Robert Howe Gould*, Strand, Middlesex, clerk to a dealer in ice: in the Queen's Prison.—*James Thomas Reed*, Coleshill-street, Pimlico, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Frederick Harland*, Sandgate-cottage, King Henry's-walk, Ball's-pond, Islington, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*George Panther Twigden*, Petty's-court, Hanway-street, Oxford-street, Middlesex, cab proprietor: in the Debtors Prison for London and Middlesex.—*George Chappel*, Bury-street, Fulham-road, St. Luke's, Chelsea, Middlesex, clerk and town traveller: in the Debtors Prison for London and Middlesex.—*John Martin*, West-green, Tottenham, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*George Henry Schmidt*, Davies-street, Berkeley-square, Middlesex, valet: in the Debtors Prison for London and Middlesex.—*Samuel Nash*, Herbert-street, Hoxton, Middlesex, timber dealer: in the Queen's Prison.—*James Taylor*, Mildmay-place, South-side, Stoke Newington-green, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Samuel Knibb*, Norton-street, Portland-place, Marylebone, Middlesex, attendant at the Suffolk-baths, Pall-mall East: in the Gaol of Horsemonger-lane.—*John Marshall Jones*, Manor-place, Walworth, Surrey, agent for the sale of beer: in the Gaol of Horsemonger-lane.—*Thomas Beesley*, Newington-crescent, Newington Butts, Surrey, wine merchant: in the Queen's Prison.—*John Bedale*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*David James*, Llangindeirne, Carmarthenshire, labourer: in the Gaol of Carmarthen.—*J. Parkinson*, Blackburn, Lancashire, upholsterer: in the Gaol of Lancaster.—*Thomas Picken*, Birmingham, stationer: in the Gaol of Coventry.—*Robert Smith*, Sheffield, Yorkshire, hawker of sandwiches: in the Gaol of Sheffield.—*Thomas Sanders*, Birmingham, painter: in the Gaol of Coventry.—*Wm. Thompson*, Salford, Lancashire, clog-sole maker.—*Edward Francis Bedford*, Ipswich, Suffolk, job master: in the Gaol of Ipswich.—*Michael Allan*, Newcastle-upon-Tyne, hosier: in the Gaol of Newcastle-upon-Tyne.—*Joseph Cartwright Parkes*, Bristol, shopman to an ironmonger: in the Gaol of Bristol.—*Thomas Millward*, Merthyr Tydvil, Glamorganshire, beer-house keeper: in the Gaol of Cardiff.—*Rich. Bates Smith*, Castlegate, Yorkshire, licensed victualler: in the Gaol of York.—*John Godfrey*, Charlbury, Oxfordshire, corn dealer; in the Gaol of Oxford.—*Richard Butcher*, Lower Mersey View, Kirkdale, Lancashire, ale dealer: in the Gaol of Lancaster.—*John Sutcliffe*, Rochdale, Lancashire, out of business: in the Gaol of Lancashire.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 21 *at* 10, *before Mr. Commissioner* LAW.

John Plowman, Mexican-terrace, Albion-street, King's-cross, Middlesex, commercial traveller.

Nov. 22 *at* 11, *before Mr. Commissioner* PHILLIPS.

William Dunkley, Tower-street, Westminster-road, Surrey, undertaker.—*Thos. Bell*, Pakenham-street, Gray's-inn-road, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at the CASTLE OF EXETER, *Nov.* 17 *at* 10.

Robert Ashbee, St. David's, railway superintendent.

At the County Court of Staffordshire, at STAFFORD, *Nov.* 20 *at* 10.

Samuel Hallen, Burslem, manufacturer of eyes.—*William Caunt*, Portobello, near Willenhall, engine fitter.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *Nov.* 22 *at* 10.

Ralph Thompson, Newcastle-upon-Tyne, out of business.

At the County Court of Warwickshire, at COVENTRY, *Nov.* 22.

Thomas Charman, Headless-cross, near Redditch, needle

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manufacturer.—*Thos. Sanders*, Birmingham, painter.—*Thos. Picken*, Birmingham, paper manufacturer.

At the County Court of Carmarthenshire, at CARMARTHEN, *Nov. 20 at 2.*

David James, Llangindeirne, labourer.—*Henry Thomas*, Carmarthen, out of business.

At the County Court of Oxfordshire, at OXFORD, *Nov. 21.*

John Godfrey, Charlbury, out of business.

At the County Court of Hertfordshire, at HERTFORD, *Nov. 23.*

George William Wheeler, O'Connorville, Rickmansworth, agriculturist.—*Grace Williamson*, widow, Goff's Oak, Cheshunt, out of business.

At the County Court of Staffordshire, at STAFFORD, *Nov. 20.*

John Dale Highfield, Hanley, dealer in cigars.

FRIDAY, NOVEMBER 9.

BANKRUPTS.

WILLIAM WOODS and SAMUEL THOMAS, Cheapside, London, wholesale hardwaremen and warehousemen, Nov. 23 at 11, and Dec. 21 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Jones, St. Mildred's-court, Poultry.—Petition dated Nov. 6.

LOT FULBROOK, Cambridge-place, Hackney-road, Middlesex, grocer and tea dealer, Nov. 21 at 11, and Dec. 21 at half-past 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Bouts, 9, Rodney-buildings, New Kent-rd. —Petition dated Nov. 3.

JOHN STOCK the elder and WILLIAM STOCK, Ashton-in-Mackerfield, Lancashire, coal proprietors, dealers in salt, dealers and chapmen, Nov. 27 and Dec. 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Ansdell & Haddock, St. Helen's, Lancashire.—Petition dated Nov. 5.

JOHN STOCK the elder, Ashton-in-Mackerfield, Lancashire, coal proprietor, dealer and chapman, (carrying on business at Ashton with William Stock, under the firm of John Stock & Brothers), Nov. 27 and Dec. 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Smith, Liverpool.—Petition dated Oct. 31.

MACGREGOR LAIRD, Birkenhead, Cheshire, commission agent, Nov. 26 and Dec. 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Watson, Liverpool.—Petition dated Nov. 7.

JOSEPH SMITH, Hartley-cottage, Kirkburton, and ROBERT SMITH, Grange, Kirkburton, Yorkshire, fancy cloth manufacturers, dealers and chapmen, Nov. 22 and Dec. 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Carlis & Cudworth, Leeds; Hird, Huddersfield.—Petition dated Nov. 5.

Mingerers.

John George Fuller, St. James-street, Middlesex, and Streatham, Surrey, wine merchant, Nov. 23 at 11, Court of Bankruptcy, London, fin. d.—*Henry Coppin*, Colchester, Essex, shoemaker, Nov. 21 at 2, Court of Bankruptcy, London, last ex.—*James D. Ireland*, Lewisham, Kent, licensed victualler, Nov. 20 at half-past 11, Court of Bankruptcy, London, last ex.—*J. M. Levine* and *Mark Levison*, Norwich, jewellers, Nov. 20 at 12, Court of Bankruptcy, London, last ex.—*Charles Rowland*, Horsham, Sussex, stonemason, Nov. 21 at 1, Court of Bankruptcy, London, last ex.—*S. Vines*, Crutched-friars, London, corn factor, Nov. 20 at 12, Court of Bankruptcy, London, last ex.—*Joseph F. Hewett*, High Holborn, Middlesex, hydraulic engineer, Nov. 20 at 12, Court of Bankruptcy, London, last ex.—*John F. Knobel*, Bolton-row, Piccadilly, Middlesex, wine merchant, Nov. 20 at 11, Court of Bankruptcy, London, last ex.—*George Hinchcliffe*, Pudsey, Leeds, Yorkshire, cloth manufacturer, Nov. 30 at 11, District Court of Bankruptcy, Leeds, last ex.—*Thos. Walley* and *P. W. Hardwick*, Oxford-street, Middlesex, linendrapers, Nov. 28 at 12, Court of Bankruptcy, London, aud. ac.; Nov. 30 at 12, fin. div.—*James Reed*, Bermondsey-street, Southwark, Surrey, hop merchant, Nov. 28 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Morris*, Abergavenny, Monmouthshire, corn merchant, Nov. 21 at half-past 12, District Court of Bankruptcy, Bristol, aud. ac.—*T. L. Walker*, *James M. Mathew*, and *Rev. Wm. Kelsall*, Nuneaton, Warwickshire, brickmakers, Nov. 24 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*T. B. Wade*, Dudley, Worcestershire, grocer, Nov. 24 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Hatfield* the younger, Southwell, Nottinghamshire, victualler, Nov. 23 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Joseph Gardner*, Nottingham, baker, Nov. 23 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Cope*, Derby, fishmonger, Nov. 23 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Joseph Kirk*, Caunton, Nottinghamshire, licensed victualler, Nov. 23 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Lenton*, Bourn, Lincolnshire, butcher, Nov. 23 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*John Harrison*, Loughborough, Leicestershire, clothier and grocer, Nov. 23 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Joseph Busst*, Walsall, Staffordshire, timber merchant, Nov. 24 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; at 11, pr. d.—*Wm. H. Maybury*, Worcester, hosier, Nov. 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. H. Higgitt*, Wolverhampton, Staffordshire, pawnbroker, Nov. 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Ridgway*, Hanley and Shilton, Staffordshire Potteries, Staffordshire, manufacturer of earthenware, Nov. 28 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*And. M'Lellan*, Sheffield, Yorkshire, draper, Dec. 1 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*James Johnson*, Sheffield, Yorkshire, razor manufacturer, Dec. 1 at 12, District Court of Bankruptcy, Sheffield, aud. ac.—*Jos. Clementson*, Whitehaven, Cumberland, tobacconist, Dec. 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 7 at 12, div.—*Wm. Wilson*, Houghton-le-Spring, Durham, maltster, Dec. 4 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 6 at half-past 11, div.—*Nesmith Lax* and *Edward Lax*, Berry Edge, Durham, grocers, Dec. 6 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Ward* and *John Ward*, Leadgate and Ivesston, Durham, grocers, Dec. 6 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Anthony Morgan*, Nantwich, Cheshire, watchmaker, Nov. 28 at 10, District Court of Bankruptcy, Liverpool, aud. ac.—*Ralph Lewis*, Penygroves, Tryddyn, Mold, Flintshire, wine merchant, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Anthony Norval*, Liverpool, painter, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Carden*, Birkenhead, Cheshire, and Liverpool, auctioneer, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Birch*, Liverpool, grocer, Nov. 21 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*James Bonny*, Liverpool, tailor, Nov. 21 at 12, District Court of Bankruptcy, Liverpool, aud. ac.—*Thos. Davies*, Liverpool, merchant, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Cole*, Birkenhead, Lancashire, estate agent, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. W. Bulley*, Liverpool, merchant, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 3 at 11, div.—*Thomas B. Golborne* and *Arthur A. Dobbs*, Liverpool, wine merchants, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 4 at 11, div.—*Saml. Brown*, Liverpool, millwright, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Horatio Hyland*, Staple-cross, Ewhurst, Sussex, grocer, Nov. 30 at 12, Court of Bankruptcy, London, div.—*Benjamin M. Chree* and *John Boyd*, Bow-churchyard, London, silk manufacturers, Nov. 30 at 12, Court of Bankruptcy, London, fin. div.—*Wm. Cotton*, Moseley, King's Norton, Worcestershire, timber merchant, Dec. 1 at 12, District Court of Bankruptcy, Birmingham, div.—*David Turner*, Sheffield, Yorkshire, innkeeper, Dec. 1 at 12, District Court of Bankruptcy, Sheffield, div.—*Thomas S. Mulvey*, Chester, Cheshire, shipbuilder, Dec. 11 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Samuel Martin, Poole and Parkstone, Dorsetshire, silk merchant, Dec. 3 at 1, Court of Bankruptcy, London.—*Jonathan Hall*, Rotherhithe, Surrey, shipwright, Dec. 4 at 12, Court of Bankruptcy, London.—*E. Litchfield*, Ipswich, Suffolk, upholsterer, Dec. 11 at 11, Court of Bankruptcy, London.—*Edmund Woodruffe*, Winchester-house, Old Broad-

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street, London, ship broker, Dec. 1 at 11, Court of Bankruptcy, London.—*James Smith*, King-st., Snow-hill, London, engraver, Dec. 1 at 12, Court of Bankruptcy, London.—*James Crocker*, Aldersgate-st., London, manager of an hotel, Dec. 1 at half-past 11, Court of Bankruptcy, London.—*James Matthews*, Gomershall, near Guildford, Surrey, tea dealer and grocer, Dec. 1 at 12, Court of Bankruptcy, London.—*Charles States*, Newcastle-upon-Tyne, innkeeper, Dec. 6 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Jos. Cary*, Shepton Mallet, Somersetshire, printer, Dec. 4 at 11, District Court of Bankruptcy, Bristol.—*Wm. James Bebell*, Gloucester, boat-builder, Dec. 4 at 12, District Court of Bankruptcy, Bristol.—*Alfred Viner*, Bristol, hop merchant, Dec. 17 at 11, District Court of Bankruptcy, Bristol.—*Edw. Raisbeck*, Dewsbury, Yorkshire, ironmaster, Dec. 10 at 11, District Court of Bankruptcy, Leeds.—*Thos. Martin*, Liverpool, merchant, Dec. 4 at 11, District Court of Bankruptcy, Liverpool.—*Robert Turner*, Sheffield, Yorkshire, leather dealer, Dec. 1 at 12, District Court of Bankruptcy, Sheffield.—*Thos. Shaw*, Wolverhampton, Staffordshire, victualler, Dec. 1 at half-past 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Richard Samuel Whitbread Goymer, Deal, Kent, hotel-keeper.—*Geo. Fred. Bennett*, Quadrant, Regent-st., Middlesex, goldsmith.—*Jos. Smith*, Colchester, Essex, innkeeper.—*John George Fuller*, St. James-st., Middlesex, and Streatham, Surrey, wine merchant.—*John Boyd*, Bow-churchyard, London, silk manufacturer.—*Thos. Kenny*, Liverpool, bookseller.—*Chas. Penn*, Liverpool, victualler.—*Thomas Jones*, Abbey, Caron, Cardiganshire, cattle salesman.—*Thos. Maddocks* the younger, Bollow, Westbury-upon-Severn, Gloucestershire, sheep salesman.—*John Stevenson*, Brecon, grocer.

FIATS ANNULLED.

John Buckley, Higher Crompton, near Oldham, Lancashire, coal master.—*Bernard Bottenheim*, Manchester, merchant.

PARTNERSHIP DISSOLVED.

H. Seymour Westmacott and *John Alex. Mainley Pinniger*, John-st., Bedford-row, Middlesex, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Peter Currie, Greenock, chain manufacturer.—*John Mill*, deceased, Edinburgh, wine merchant.—*Wm. Smart*, Nether Muirden, Dunlugas, Alva, Banffshire, farmer. — *Matthew M'Kenzie*, deceased, Dundee, flax spinner.—*Alex. Stevenson Anderson*, Glasgow, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Charlesworth, Wednesbury, Staffordshire, brick-maker, Nov. 16 at 2, County Court of Worcestershire, at Dudley.—*Wm. Squibb*, Totton, Eling, Hampshire, gardener, Nov. 21 at 10, County Court of Hampshire, at Southampton.—*John Mainer*, Southampton, cordwainer, Nov. 21 at 10, County Court of Hampshire, at Southampton.—*Chas. Tilbury*, Southampton, sheriff's officer, Nov. 21 at 10, County Court of Hampshire, at Southampton. — *Robert Crack*, Market Weston, Suffolk, shoemaker, Nov. 27 at 2, County Court of Norfolk, at Thetford. — *James Lawrence*, All Saints, Southampton, working jeweller, Nov. 21 at 10, County Court of Hampshire, at Southampton.—*Amy Sarah Roots*, Biddenden, Kent, Nov. 13 at 11, County Court of Kent, at Tenterden.—*Samuel Hordon*, Beverley, Yorkshire, grocer, Nov. 19 at 11, County Court of Yorkshire, at Beverley.—*Wm. Moore*, Exwick, St. Thomas the Apostle, Devonshire, carpenter, Nov. 17 at 10, County Court of Devonshire, at Exeter.—*James Humphreys Hooper*, Exeter, printer, Nov. 17 at 10, County Court of Devonshire, at Exeter.—*Francis Page*, Southelmham, Suffolk, grocer, Nov. 20 at 9, County Court of Norfolk, at Harleston.—*Wm. Burton*, Over, Cambridgeshire, shoemaker, Nov. 22 at 11, County Court of Huntingdonshire, at Huntingdon.—*Thomas Cockerill*, Draycott, Bourton, Warwickshire, sawyer, Nov. 26 at 10, County Court of Warwickshire, at Rugby.—*Chas. Sanderson*, Hexthorpe, Yorkshire, commission agent, Dec. 3 at 12, County Court of Yorkshire, at Doncaster.—*Henry Morgan*, Abergavenny, Monmouthshire, grocer, Nov. 23 at 10, County Court of Monmouthshire, at Abergavenny.—*T. Richards*, Wrantage, North Curry, near Taunton, Somersetshire, licensed victualler, Nov. 20 at 10, County Court of Somersetshire, at Taunton.—*Jas. Cornwell*, Derby-house-park, Rock-ferry, Cheshire, teacher and milliner, Nov. 23 at 10, County Court of Cheshire, at Birkenhead.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 24 *at* 11, *before Mr. Commissioner* PHILLIPS.

Charles Edward Pugh, Prior-place, East-st., Walworth, Surrey, beer-shop keeper.—*Jos. Benj. Bryan*, Priory-street, Camden-town, Middlesex, out of business.

Nov. 26 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Kealy, New Manor-street, Chelsea, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 23 *at* 11, *before Mr. Commissioner* HARRIS.

Lionel G. Watling, Clare-street, Clare-market, Middlesex, out of business.—*George W. Wells*, Asford-st., Pitfield-st., Hoxton, Middlesex, accountant.

Nov. 26 *at* 11, *before the* CHIEF COMMISSIONER.

Joseph Gatley, Pump-row, Old-st., Middlesex, foreman at the Finsbury Saw-mills.—*Robt. Taylor*, New Church-court, Strand, Middlesex, house agent's clerk.

Nov. 26 *at* 11, *before Mr. Commissioner* HARRIS.
Adjourned Case.

Samuel Saunders, Peckham-grove, Camberwell, Surrey, clerk to an attorney.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at the Guildhall at NORWICH, *Nov.* 23 *at* 10.

Henry Buttle, Norwich, waterman.

At the County Court of Norfolk, at NORWICH CASTLE, *Nov.* 23 *at* 10.

John Gathergood, Wiggenhall St. Mary the Virgin, brick-maker.

At the County Court of Lancashire, at LANCASTER, *Nov.* 23 *at* 11.

John Bedale, Hulme, Manchester, retail dealer in ale.—*Isaac Royse*, Manchester, out of business.—*John Watson*, Preston, out of business.—*Peter Pickup*, Cronkeyshaw, near Rochdale, out of business.—*John Sutcliffe*, Rochdale, out of business.—*Donald Ross*, Liverpool, slater.—*Richard Butcher*, Liverpool, porter dealer.—*Elijah Cockshot*, Blackburn, out of employment.

At the County Court of Cheshire, at CHESTER CASTLE, *Nov.* 24 *at* 10.

Isaac Beaumont, Heaton Norris, druggist.

MEETINGS.

Gervase Ellis, Peterborough, Northamptonshire, baker, Nov. 27 at 11, at Platel's, Peterborough, sp. aff.—*Stephen Searle*, Upper Southwick-street, Paddington, Middlesex, butcher, Nov. 27 at 12, at Braham's, Chancery-lane, Fleet-street, London, sp. aff.

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The Jurist

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LONDON, NOVEMBER 17, 1849.

In a preceding number of The Jurist, in the early part of the year, we discussed at some length the pernicious effects of the existing system of Chancery pleading, and the modes in which it might be reformed. The publication of the paper in question exposed us at the time to much ridicule and vituperation, and we feared at first, not that we had missed the truth, but that we had been premature in urging it.

Since that period, however, a considerable change has come over the opinions of the Profession, and we find now many who are prepared to join in considering a great part of the ponderous machinery of Chancery procedure as quite unnecessary, and, being unnecessary, mischievous. We are not conceited enough to suppose that we have had much influence in producing the change, except in so far as we may have put it upon thoughtful men to consider that which probably, in the hurry and pressure of actual business, they had not, for want either of leisure or inclination, before considered; and that the minds of thoughtful men, being so directed to the subject, could not do otherwise than perceive the monstrous inaptitude of Chancery procedure to the wants of the age. But no arguments of ours—no arguments coming from heads far more learned and lips far more eloquent than ours—could have had, in producing the change of opinion which has undoubtedly taken place in the Profession, half the effect that has been produced by the decrease, during the last few years, in the amount of Chancery business. For a time it could be, and was, attributed to the depression of the commercial interests; but when those began to revive, and the business of Chancery practitioners did not revive proportionately, men's minds were driven to seek for other causes for the continued depression; and they then perceived, or rather ceased to reject the perception, that the diminution in the delay and expense of Chancery procedure had not at all kept pace with the wants of the public; so that, in effect, by reason of such delay and expense, people are so terrified at the very name of Chancery, that they compromise or forego their rights, or, unless they are either very wealthy or very angry, will do or bear anything rather than embark in a Chancery suit. We put the argument for reform and simplification of Chancery proceedings on this double ground—of their being at present at once an oppression upon the public, and a check upon the legitimate occupations of those who live by the law—because we believe that to be the practical and worldly view in which such subjects should be looked at. No sensible lawyer professes to treat the exercise of his profession as other than a mode of maintaining himself by his labour. No honourable lawyer, on the other hand, would for a moment contend, or pretend, that the proceedings of Courts should be framed for the profit of the Profession alone; and a due consideration of his own fair and just interest, quite irrespectively of all feeling of any higher kind, must convince every lawyer, that it is idle to uphold a system, because it *would* be profitable, *if* it encouraged business; while it is not, in fact, profitable, because it checks business. The material question, then, for the public and the Profession—for their interests are identical—is, how the proceedings of Chancery can be rendered speedy and comparatively inexpensive; and, assuming it to be established, that, as at present regulated, they do not meet the interests of either the public or the Profession, we return to the charge, to point out the absolute inutility of some of the most time-honoured parts of our

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system of pleading, and to point out what may be well substituted for them.

For all the family of bills—bills of revivor, bills of supplement, of revivor and supplement, original bills in the nature of bills not original, &c., and answers—we continue to maintain that they are worn out, and should be wholly swept away. For the bill, should be substituted a statement of the plaintiff's facts, denuded of all merely formal language, and referring to the documents on which he means to rely, by way of documentary evidence. What this instrument is to be called, whether a plaint or a state of facts, or anything else, is of little consequence. The material point is, that it should state only facts which do not appear in any documents, and only refer to documents; and should state what it does state, positively and clearly, but shortly. So much for the original foundation of a suit. Then as to the mode of presenting to the defendant, and the Court, matters omitted by the plaintiff in the outset, or occurring subsequently to the institution of the suit—matters which are at present the subject of amendment, or revivor, or supplement, or some of these combined, giving rise to those difficult questions, which so frequently puzzle the most able counsel, as to the proper form of bill*;—as to all these, they should pass away. Everything that can be done by any of these forms, can be done, for all purposes of information, by amendment. The distinctions between amendment, as applied to what existed at the filing of a bill, and supplement, or revivor, to what has occurred since; and again, between revivor for that which cannot be questioned, as the title of a personal representative on the death of a party, and with reference to a title which can be disputed, as that which accrues by devise, are wholly capricious and irrational. All that the defendant and the Court require to know is, that some fact, or some party, or, speaking generally, some interest which was not before them when the suit was instituted, is now presented to their view; and it is quite impossible to conceive a case in which a simple amendment would not suffice to bring before the Court the new information requisite for the determination of the case.

Next, as to the defence; and this, perhaps, is the part in Chancery procedure which offers the greatest difficulties. In our former paper we suggested a mode of answering, which would undoubtedly effect considerable saving of expense. But further consideration and communication with others anxious to see a substantial reform in pleading, have led us to think that the principle of the American Act (partly printed in THE JURIST also in the early part of this year) is the better one, and that there should be, strictly speaking, no answer at all; that the defendant should be at liberty to put the plaintiff simply to the proof of all, or of so many of his statements as he does not think fit to admit; and to make, if he chooses, a counter-statement of his own case. But then it will be asked, how is the discovery from the defendant, which, it must be conceded, is the very essence of the equity jurisdiction, to be obtained? The answer is, that the defendant in equity is simply a witness examined by the plaintiff, and that the mode of obtaining discovery from him will be by permitting the plaintiff to examine him as a witness upon written interrogatories. The result of this alteration would be to dispense with the answer, and to substitute for it, so far as regards the discovery sought by the plaintiff, the depositions of the defendant. By this alteration, also, all proceedings in the nature of exceptions for insufficiency would be got rid of, as the examiner of witnesses would be, in regard to the defendant, what he already is in regard to every witness, an exceptant to everything in the nature of evasive answers.

We suspend for the present this inquiry, which we shall, however, from time to time, probably resume; at least, if we see ground for conceiving that the subject is seriously considered by the Profession. That they will seriously consider it, we, as working members of the Profession, most earnestly hope, being quite satisfied, that, if the method of proceeding in equity is not greatly simplified, its general business will decrease more and more.

* Let any one read Lord Redesdale's work on the distinctions between the cases when revivor is proper alone, and when revivor and supplement, and when an original bill in the nature of a bill of revivor, and the like; and if he does not rise from it with his previous confusion of mind increased, he is a wonderful man. We have ourselves heard an eminent judge say, in open court, that these mysteries were beyond him. They are worse than mysteries; they are, simply, learned nonsense; but, unfortunately, very expensive nonsense.

COURT OF QUEEN'S BENCH.

MICHAELMAS TERM.—13 VICTORIA.—*Nov.* 14.

This Court will hold Sittings, and will proceed in disposing of the business now pending in the Crown, New Trial, and Special Papers, in the following order:—Tuesday the 27th and Wednesday the 28th days of November instant, the Crown Paper; Thursday the 29th day of November instant, the New Trial Paper; and on Tuesday the 4th, Wednesday the 5th, Thursday the 6th, and Friday the 7th days of December next, the Special Paper; and will also hold a Sitting on Tuesday the 18th day of December next, and give judgment in cases previously argued.

BY THE COURT.

COURT OF EXCHEQUER.

MICHAELMAS TERM.—13 VICTORIA.—*Nov.* 16.

This Court will hold Sittings on Saturday the 1st day of December next, and on every succeeding day, (Sundays excepted), until and including Monday the 10th day of December next, and also on Saturday the 22nd day of December next; and at such Sittings will proceed in disposing of the business then pending in the Paper of New Trials, in the Paper of Special Cases, in the Paper of Demurrers, and in disposing of the motions and applications which shall then have been made, and shall be then pending.

FRED. POLLOCK. E. H. ALDERSON.
JAS. PARKE. R. M. ROLFE.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—Joseph Shipton, of Chesterfield, Derbyshire, in and for the county of Derby; Charles Dixon Craig, of Shrewsbury, Shropshire, in and for the county of Salop; Edward Falkner Fairthorne, of Brackley, Northamptonshire, in and for the county of Northampton; Charles James Gunner, of Bishop's Waltham, Hampshire, in and for the county of Hampshire.

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WALKER v. *GILES*.—TENANCY CLAUSES IN MORTGAGES.

Our observations (ante, pp. 262, 278) on the case of *Walker* v. *Giles* (13 Jur., part 1, p. 588) have been criticised in a curious fashion by one of the learned judges who decided that case. At the trial of a case of *Barnard* v. *Pilsworth*, before Wilde, C. J., the defendant had leave to move to enter a nonsuit, on the ground that a building society's mortgage should not have been received in evidence without a stamp. The rule was moved for last week before Maule, J., who refused it, and, referring to *Walker* v. *Giles*, said, "Some newspaper or publication of that kind has found fault with that decision. I thought that decision was correct, and I believe that was the opinion of everybody else who heard the case." (*Times*, Nov. 9). From this we learn three things: first, that it is consistent with judicial reserve to take public notice of newspaper criticisms on legal decisions; secondly, that his Lordship, when he concurred in the decision in *Walker* v. *Giles*, thought it was right; and, thirdly, that his Lordship thought it also consistent with judicial reserve to canvass the opinions of the bystanders, and that he had the satisfaction of meeting with their unanimous concurrence;—more fortunate than a certain able equity judge, who, having delivered an elaborate judgment on a difficult conveyancing question, shortly afterwards took advantage of a pause in the business of the Court to address a profound lawyer, who was sitting in the back row, in the following terms:—"Mr. L**, did you hear my judgment in —— *v.* ——?" Mr. L**, "Yes, Sir." "Did you approve of that judgment, Mr. L**?" Mr. L**, "No, Sir."

Mr. Justice Maule's allusion was to THE JURIST, and by terming it "a newspaper or some publication of that kind," his Lordship shewed either that he was unacquainted with its nature, (which does not reside in the newspaper stamp affixed to it), or that his temper had been ruffled by so simple a thing as a dry legal discussion of a decision of his Court, with reference to a doubt which had not even been suggested in argument before it*. We are inclined to adopt the latter explanation, especially as it enables us to add his Lordship's name to the list of eminent lawyers who have thought the legal articles in THE JURIST worthy of attention†.

Since the appearance of our observations on the stamp question in *Walker* v. *Giles*, the decision of the Court on a point reserved for further consideration has been reported by Mr. Scott, and that decision shews, either that there was no conveyancer among the bystanders consulted by Mr. Justice Maule, or that his Lordship omitted to take counsel on the question reserved, as well as on that decided. *Walker* v. *Giles* was an action of replevin, and the second avowry was made upon a clause in a mortgage to the trustees of a building society, by which the mortgagors agreed to become tenants of the mortgaged property to the trustees from the date of the deed, during their will, at a yearly rent of 200*l.*, subject to re-entry for non-payment, and to all usual covenants and remedies in leases of the like property. This was held to be so inconsistent with the object and general contents of the deed as to be utterly void. Wilde, C. J., said, "The deed recites, that its object was to create a mortgage security for the contributions payable in respect of the parties' shares in the capital of the society, and that security is in the last sentence of the deed limited to the sum of 840*l.*; and in order to secure such subscriptions to the extent of 840*l.* it is provided, that in case of default the trustees may appoint a collector of the rents, and if the rents shall not equal the arrears due in respect of the contributions, the trustees may sell; and it is declared, that the deed is upon trust that the grantors shall retain possession *and take the rents and profits until default*. The object of the deed, then, being distinctly expressed to be to secure the subscriptions to the extent of 840*l.* only, and that the grantors should retain possession and take the rents and profits until default, it is quite inconsistent with that object that the grantors should immediately, and before default, or even before the contributions are due, become tenants, at the rent of 200*l.* a year, and that such rent should be payable immediately and during the continuance of the demise, and without reference to the fact whether default should be made in the payment of the contributions or not: so that, to construe the deed to create the tenancy stated in the second avowry, the grantors must be deemed to have contracted *to pay the contributions and also the rent of* 200*l. a year*—a construction manifestly contrary to the obvious intention of the parties. To construe the deed, therefore, to create the relation of landlord and tenant upon the terms of the second avowry, would have the effect of defeating and not of giving effect to the intention of the parties." The Court accordingly decided for the plaintiff in replevin!

We have noted this case against the following passage in Jarman's Conveyancing, vol. 5, p. 515:—"The object" [to give to the mortgagee a remedy to recover arrears of interest by distress] "is sometimes effected by making a demise at will to the mortgagor, reserving a rent equal to the amount of the interest. (See a form to this effect, Cov. Prec. Mortg. 94)."

The mistake into which the Court fell in *Walker* v. *Giles* is to be attributed to their confounding the legal with the equitable operation of the security. The instrument in question was clumsily drawn, but not so inefficiently as to justify the decision. The effect of the deed was, in substance, this:—It recited, that its object was to secure the due payment of the monthly subscriptions; and it witnessed, that the mortgagors demised the property in question to the mortgagees, *upon trust* to permit the mortgagors to hold the premises *and receive the rents and profits* so long as they should duly pay the subscriptions; but, in case of default, to appoint a receiver of the rents, or to sell. The mortgagors covenanted to pay the subscriptions, and also agreed to become tenants at will of the trustees, at a rent of 200*l.* Need we add, that the mortgagors, so long as they duly paid the subscriptions, would, under the trust for quiet enjoyment until default, be entitled to receive the rents and profits legally recoverable by the trustees, including this 200*l.*, which they would thus pay with one hand and receive with another; and that, after default, though the trustees would, by the express terms of the deed, be entitled to recover at law both the subscriptions and the rent, they would be liable to account in equity? The Court might as well have said, that it could not have been intended to give the mortgagees the right to recover the mortgage-money by action on the covenant for payment, and also to recover the rents from the tenants by virtue of

* It was assumed by the counsel on both sides, in *Walker* v. *Giles*, that the Building Societies Act incorporated all the provisions of the Friendly Societies Acts applicable to building societies.

† Among these may be mentioned the judges of the Court of Queen's Bench, who, when a point similar to that in *Doe* d. *Jacobs* v. *Phillips* (11 Jur. 692; 10 Q. B. 130) arose before them, thought it a sufficient reason for taking time to consider their judgment, that that decision had been treated as clearly erroneous in an article in THE JURIST, (11 Jur., part 2, p. 310)—a conclusion, we may add, which has been confirmed by the Court of Common Pleas in *Garrard* v. *Tuck*, (13 Jur., part 1, p. 871); Mr. Hayes, (1 Introd. to Convey. 337); Mr. Jarman, (Concise Wills, 367); Messrs. Keating & Willes, (2 Smith's Lead. Cas. 411 a, 3rd ed.); Mr. Spence, (Equitable Jurisdiction of the Court of Chancery, passim); Mr. Lewis, (Treat. on Perpetuity, Suppl. 103; see Sugden on the Law of Property, 120), &c.

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their legal estate; yet such is the legal effect of every mortgage. It is surely elementary knowledge, that a mortgagee, under a stringent security, may have several legal remedies for recovering one debt, and that the only restraint upon his ultimately recovering too much is under the stat. 7 Geo. 2, c. 20, or in the Court of Chancery. G. S.

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Charles Du Cane, Esq., Braxted Lodge.
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Gloucestershire.—T. A. Stoughton, Esq., Owlpen House, Uley.
Thomas Gambier Parry, Esq., Highman Court.
William Dent, Esq., Sudeley Castle.

Herefordshire.—James Cheese, Esq., Huntington.
Charles Thomas Bodenham, Esq., Rotherwas.
Richard Hereford, Esq., Sufton.

Hertfordshire.—Fulke S. Greville, Esq., North Myms-place.
Henry Rogers, Esq., Stagenhoe.
Wynn Ellis, Esq., Ponsbourne Park.

Kent.—Matthew Bell, Esq., Bourne House, Bishopsbourne.
Ford Wilson, Esq., Blackhurst, Tonbridge Wells.
Sir John William Ladbrook, Bart., Down.

Leicestershire.—Thomas Stokes, Esq., New Parks.
Sir Cornwallis Ricketts, Bart., Beaumont Leys.
Edward Henshaw Cheney, Esq., Gaddesby.

Lincolnshire.—Henry Fane, Esq., Fulbeck Hall.
Sir Charles Henry John Anderson, Bart., Lea.
George Tomlins, Esq, Riby Grove.

Monmouthshire.—Thomas Wakeman, Esq., Graig.
Crawhay Bailey, Esq., Lanthewy Court.
Montague Gore, Esq., Langston.

Norfolk.—Edward Roger Pratt, Esq., Ryston.
Sir Willoughby Jones, Bart., Sculthorpe.
Sir Charles Chad, Bart., Hunsford.

Northamptonshire.—W. B. Stopford, Esq., Drayton House.
Sir Charles Edmund Isham, Bart., Lamport Hall.
Langham Christie, Esq., Preston Deanry.

Northumberland.—Sir W. C. Trevelyan, Bart., Wallington.
Sir Horace St. Paul, Bart., Ewart Park.
Thomas Wood Craster, Esq., Craster Tower.

Nottinghamshire.—The Right Hon. Edward Strutt, Kingstone Hall.
John Franklin, Esq., Gonalston.
Henry Frederick Walker, Esq., Blyth Hall.

Oxfordshire.—Henry Hall, Esq., Barton.
John Brown, Esq., Kingston.
John Henry Ashurst, Esq., Waterstock.

Rutlandshire.—The Hon. William Middleton Noel, Ketton.
John Walker, Esq., Wardley.
John Moore Paget, Esq., Clepsham.

Shropshire.—Ralph Merrick Leeke, Esq., Longford.
Robert Henry Cheney, Esq., Bodger Hill.
Robert Burton, Esq., Longner Hill.

Somersetshire.—Langley St. Albyn, Esq., Alfoxton.
Thomas Tutton Knyfton, Esq., Uphill.
Francis Henry Dickenson, Esq., Kingweston.

Staffordshire.—Josiah Spode, Esq., Armitage Park.
Philip Barnes Broade, Esq., Fenton Manor House.
John Barker, Esq., Wolverhampton.

Southampton (County).—William Kingsmill, Esq., Sidmonton House, Kingsclere.
Joseph Martineau, Esq., Basing Park.
J. C. Jervoise, Esq., Idsworth Park, Horndean.

Suffolk.—Sir Thomas Rokewood Gage, Bart., Hengrave Hall.
The Right Hon. J. Lord Henniker, Thornham Hall.
Frederick Barne, Esq., Sotterley.

Surrey.—Jas. W. Freshfield, Esq., Moor Place, Betchworth.
John Sparkes, Esq., Gosden House, Shalford.
George Robert Smith, Esq., Selsden, Croydon.

Sussex.—George Campion Courthope, Esq., Whiligh.
David Lyon, Esq., Goring.
Sir Isaac Lyon Goldsmid, Bart., Hove.

Warwickshire.—Darwin Galton, Esq., Edstone.
Sir John N. L. Chetwode, Bart., Ansley Hall.
Mark Phillips, Esq., Snitterfield.

Wiltshire—Graham M. M. Esmeade, Esq., Monkton House.
John Grove, Esq., Fern House.
Henry G. Gibbs Ludlow, Esq., Heywood House.

Worcestershire.—John Gregory Watkins, Esq., Woodfield.
John Russell Cookes, Esq., Woodhampton.
Sir Thos. E. Winnington, Bart., Stanford Court.

Yorkshire.—Sir John H. Lowther, Bart., Swillington, Leeds.
William Rutson, Esq., Newly Wiske.
Andrew Montague, Esq., Melton, Doncaster.

WALES.

Anglesey.—Richard Griffith, Esq., Bodowyrisaf.
The Hon. William Owen Stanley, Penrhos.
Thomas Owen, Esq., Tyddy Glan-y-mor.

Breconshire.—Paul Mildmay Pell, Esq., Tuymawr.
David Watkins Lloyd, Esq., Aberllech, otherwise Llandilo.
Sir Chas. Morgan Robinson Morgan, Bart., Therra.

Carnarvonshire.—William Henry Foley, Esq., Bryn Eryr.
Isaac Walker, Esq., Hendregadredd.
Owen Jones Ellis Nanney, Esq., Gwynfryn.

Carmarthenshire.—William Davys Harries Campbell Davys, Esq., Neuaddfaur.
Timothy Powell, Esq., Penycoed.
Edmund Plowden, Esq., Treventy.

Cardiganshire.—Thomas Davies Lloyd, Esq., Bronwydd.
Delme Seymour Davies, Esq., Highmead.
Charles Arthur Pritchard, Esq., Tywllwyd.

Denbighshire.—John Burton, Esq., Minera Hall, Wrexham.
Thomas Hughes, Esq., Astrad Hall, Denbigh.
Francis Jas. Hughes, Esq., Acton House, Wrexham.

Flintshire.—Wilson Jones, Esq., Hartsheath Park.
Arthur Trevor Viscount Dungannon, Brynkinalt.
Rudolph William Basil Viscount Fielding, Downing.

Glamorganshire.—Rowland Fothergill, Esq., Hensol Castle.
Sir George Tyler, Knt., Cottrell.
G. Turberville, Esq., Ewenory Abbey, near Bridgend.

Montgomeryshire.—John Davies Corrie, Esq., Dysserth.
Charles Jones, Esq., Garthmill.
John Michael Severne, Esq., Rhosgoch.

Merionethshire.—John Bird, Esq., Plasy-n-Dinas.
Edward Griffiths, Esq., Gwastadfwyn.
Henry Richardson, Esq., Abertrinant.

Pembrokeshire.—James Mark Child, Esq., Begelly.
William Richards, Esq., Tenby.
John Harcourt Powell, Esq., Hook.

Radnorshire.—John Williams, Esq., Skreen House.
William Woodburn, Esq., Coedgwgan Hall.
Edward Morgan Stephens, Esq., Llananno.

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TUESDAY, November 13.

BANKRUPTS.

JOHN ORMSBY CULYER, late of Ampthill, Bedfordshire, and now of Edmonton, Middlesex, gas fitter, contractor, engineer, dealer and chapman, Nov. 22 at 2, and Dec. 27 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Bishop, 23, New Bridge-street, Blackfriars.—Petition dated Nov. 10.

JOHN JONES, Knightsbridge-terrace, Knightsbridge, Middlesex, wine and spirit merchant, Nov. 30 at 1, and Dec. 21 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Dimmock & Burbey, 3, Suffolk-lane.—Petition dated Nov. 10.

JOHN COWLISHAW, Derby, victualler, dealer and chapman, on his own account, and as a railway carriage builder, in partnership with one James Cowlishaw, Dec. 7 and Jan. 4 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Whiston & Son, Derby; Bowley, Nottingham.—Petition dated Nov. 12.

JOHN HOUSTON, Whitby, Yorkshire, keeper of an hotel, dealer and chapman, Nov. 23 and Dec. 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Stephenson, Whitby; Pringle & Co., 3, King's-road, Bedford-row, London.—Petition dated Nov. 2.

CHARLES SANDERSON, Sheffield, Yorkshire, iron merchant, dealer and chapman, Nov. 24 and Dec. 22 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Aldam, Sheffield.—Petition dated Nov. 10.

JAMES SAUNDERS, Liverpool, licensed victualler, dealer and chapman, Nov. 22 and Dec. 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Tyrer, Liverpool.—Petition dated Nov. 5.

Meetings.

David King, Eltham, Kent, surgeon, Nov. 22 at 1, Court of Bankruptcy, London, aud. ac.—*Shepard Mayfield*, Leamington Priors, Warwickshire, upholsterer, Dec. 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 12 at 12, div.—*James Lansdown Norton*, Birmingham, stationer, Dec. 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 12 at 12, fin. div.—*Joel Wilson*, West Bromwich, Staffordshire, steel manufacturer, Nov. 24 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Hayward* and *R. Hanks Moore*, Paternoster-row, London, booksellers, Dec. 6 at half-past 12, Court of Bankruptcy, London, div. sep. est. of *Richard Hanks Moore*.—*William Mather Nobbs*, Maiden-lane, Middlesex, hotel keeper, and Upper Seymour-street, Euston-square, Middlesex, chemist, Dec. 8 at 11, Court of Bankruptcy, London, div.—*John Talbot Ubsdell*, Exbury, Southampton, brickmaker, Dec. 8 at 11, Court of Bankruptcy, London, fin. div.—*Hollingworth Bramley*, New City Chambers, London, insurance broker, Dec. 6 at 1, Court of Bankruptcy, London, div.—*Henry Hall*, Lamb's-conduit-street, Middlesex, ironmonger, Dec. 8 at half-past 11, Court of Bankruptcy, London, div.—*Abram Atkins*, Finsbury-square, merchant, Dec. 6 at 12, Court of Bankruptcy, London, div.—*Agnus Macdonald* and *Archbold Campbell*, Regent-street, Westminster, Middlesex, army agents, Dec. 6 at 1, Court of Bankruptcy, London, div. sep. est. of *Agnus Macdonald*.—*Charles Joseph John Turner* and *William Atherton*, Bucklersbury, Old Jewry, London, auctioneers, Dec. 5 at 12, Court of Bankruptcy, London, div. sep. est. of *Charles J. J. Turner*.—*John Burdett Hamilton*, Grange-walk, Bermondsey-square, Bermondsey, Surrey, wholesale confectioner, Dec. 5 at 12, Court of Bankruptcy, London, div.—*Robert Daw* the younger, Launceston, Cornwall, linendraper, Dec. 5 at half-past 11, Court of Bankruptcy, London, div.—*John George Ufford*, Holloway, Middlesex, common brewer, Dec. 5 at 1, Court of Bankruptcy, London, div.—*J. H. Garrood*, Thornham Magna, Suffolk, grocer, Dec 5 at 1, Court of Bankruptcy, London, div.—*Szymanski Leon*, Rathbone-place, Middlesex, tailor, Dec. 5 at 11, Court of Bankruptcy, London, div.—*John King* and *Joseph F. King*, Wells-row, St. Mary, Islington, Middlesex, builders, Dec. 5 at 11, Court of Bankruptcy, London, div.—*John Williams*, Berwick-house, Hampstead-road, Middlesex, builder, Dec. 6 at 11, Court of Bankruptcy, London, div.—*Wm. Blacknell*, Plumstead, Kent, baker, Dec. 6 at 11, Court of Bankruptcy, London, div.—*F. M'Queen*, Leadenhall-st., London, merchant, Dec. 5 at half-past 1, Court of Bankruptcy, London, div.—*George Staight*, Skinner-st., Snow-hill, London, cutler, Dec. 5 at half-past 12, Court of Bankruptcy, London, div.—*John Cottin*, Bread-street, London, merchant, Dec. 6 at 12, Court of Bankruptcy, London, div.—*Leonard S. Butler*, Ludgate-hill, London, and No. 8 Wharf, City-road-basin, Middlesex, stationer, Dec. 6 at half-past 11, Court of Bankruptcy, London, div.—*Alfred Tunstall* and *John W. Cash*, Bristol, oil merchants, Dec. 6 at 11, District Court of Bankruptcy Bristol, fin. div.—*John Hewitt*, Liverpool, merchant, Dec. 6 at 11, District Court of Bankruptcy, Liverpool, div.—*Thomas Turner*, *Daniel Brade*, and *Charles Schwind*, Liverpool, merchants, Dec. 6 at 11, District Court of Bankruptcy, Liverpool, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Samuel Story, St. Alban's, Hertfordshire, banker, Dec. 7 at 12, Court of Bankruptcy, London.—*Bennet Sewell* and *Wm. Garrod*, Hackney, Middlesex, drapers, Dec. 5 at 11, Court of Bankruptcy, London.—*John Lloyd* and *George Lloyd*, Brinnington, Cheshire, builders, Dec. 7 at 12, District Court of Bankruptcy, Manchester.—*Thos. Oakes* and *John Jones*, Kingswinford, Staffordshire, ironmasters, Dec. 5 at 12, District Court of Bankruptcy, Birmingham.—*George Webb*, Tamworth, Staffordshire, wine merchant, Dec. 5 at 12, District Court of Bankruptcy, Birmingham.—*Alexander Webb*, Wakefield, Yorkshire, seed merchant, Dec. 6 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Wm. T. Creech, Brighton, Sussex, licensed victualler.—*Thomas Parfrement*, King-street, Holborn, Middlesex, bootmaker.—*Wm. Colcock*, James-st., Covent-garden, Middlesex, grocer.—*Robert N. Dale*, Liverpool, share broker.—*William Husler*, Woodhouse, Leeds, Yorkshire, stonemason.—*Alex. Denoon*, Adam's-court, Old Broad-st., London, merchant.—*George Monro*, Birmingham, hackneyman.—*George Nye*, Maidstone, Kent.—*Wm. Boucher*, Bristol, bed manufacturer.—*John Spikins*, Regent-street, Westminster, Middlesex, carpenter.—*Charles Nixon*, Birmingham, glass and picture frame maker.

Partnership Dissolved.

John Hussey and *Wm. Gale Coles*, Crewkerne, Somersetshire, attornies and solicitors.

Scotch Sequestrations.

David Hume, Costerton Mains, near Blackshiels, farmer.—*Wm. Connell*, jun., & *Co.*, Greenock, cordage manufacturers, and *Thomas Connell*, Greenock, commission agent.—*David Graham*, Edinburgh, grocer.

DECLARATION OF INSOLVENCY.

Stephen Bradley, Ramsgate, Kent, a commander in the Royal Navy on half-pay, Nov. 30 at 1, Court of Bankruptcy, London.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Fawcett, Liverpool, grocer, Nov. 19 at 10, Liverpool District County Court, at Liverpool.—*William Killon*, Liverpool, hairdresser, Nov. 19 at 10, Liverpool District County Court, at Liverpool.—*T. J. Sutton*, Liverpool, merchant's clerk, Nov. 19 at 10, Liverpool District County Court, at Liverpool.—*Andrew Irwin Birrell*, Liverpool, commission agent, Nov. 19 at 10, Liverpool District County Court, at Liverpool.—*Thomas A. Vesey*, Halesworth, Suffolk, brazier, Nov. 21 at 2, County Court of Suffolk, at Halesworth.—*R. Morris*, Poulton-cum-Seacombe, Wallasey, Cheshire, grocer, Nov. 23 at 10, County Court of Cheshire, at Birkenhead.—*Henry Simmons*, Awre, Gloucestershire, sub-contractor of a railway, Nov. 23 at 10, County Court of Gloucestershire, at Newnham.—*Charles Simmons*, Rugby, Warwickshire, sub-contractor of a railway, Nov. 23 at 10, County Court of Gloucestershire, at Newnham.

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The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 27 *at* 11, *before Mr. Commissioner* HARRIS.

Wm. Ralph, Old Ford-road, Stratford, Bow, Middlesex, and Lower Whitecross-street, London, milkman.—*Chas. B. Crisp*, Holly-street, North Dalston, Middlesex, attorney's clerk.—*Henry Gilbert*, East-street, Old Kent-road, Surrey, omnibus conductor.—*Joseph Manning* the younger, Cross-st., Islington, Middlesex, surveyor.—*Robert Collins*, Henry-st., Avenue-road, Regent's-park, Middlesex, baker.—*Joseph Jay*, Red Lion-street, Hoxton Old-town, Middlesex, turner.—*E. Jones*, Cloth-fair, West Smithfield, London, dairyman.—*T. Neale*, Vauxhall-terrace, Lambeth, Middlesex, out of business.—*H. M. Griffiths*, New Gravel-lane, Shadwell, Middlesex, butcher.—*George Bilney*, Kensall-green, Willesden, Middlesex, schoolmaster.

Nov. 28 *at* 11, *before the* CHIEF COMMISSIONER.

B. H. Seckendorff, Weymouth-terrace, City-road, Middlesex, agent.—*Wm. Bailey*, Cambridge-terrace, Edgware-road, Paddington, Middlesex, lodging-house keeper.

Nov. 29 *at* 11, *before the* CHIEF COMMISSIONER.

John Robert Stretton, Chapel-street, Somers-town, Middlesex, pork butcher.

Nov. 29 *at* 10, *before Mr. Commissioner* LAW.

John Payne, Fishmonger-alley, Fenchurch-street, London, bootmaker.—*Charles Suckermore Draper*, Great Clarendon-street, Somers-town, Middlesex, shopman to a tobacconist.—*James Ward*, Crawford-place, Coldbath-square, Middlesex, accountant.—*Michael Donagan*, Edgware-road, Middlesex, hairdresser.—*Ludwik Mariah*, John-street, Tottenham-court-road, Middlesex, tailor.

Saturday, Nov. 10.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Barnard, Billingborough, near Falkingham, Lincolnshire, druggist, No. 71,681 C.; G. Spurr and J. H. Thomas, assignees.—*John Chantler*, Newcastle-upon-Tyne, Northumberland, out of business, No. 71,686 C.; Jacob Grey, assignee.—*Jas. Knight*, Manchester-street, Manchester-square, Middlesex, broker, No. 71,654 C.; Robert Henry Parkinson, assignee.—*Ann Angwin*, widow, Killack, Cornwall, No. 67,324 C.; John Hall, new assignee, in place of Saml. Higgs, removed.

Saturday, Nov. 10.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Tozer, Great Dover-st., Southwark, Surrey, builder: in the Queen's Prison.—*Richard Samuel Campbell*, Gainsford-st., Horsleydown, Surrey, coal merchant: in the Debtors Prison for London and Middlesex.—*Wm. James John*, Park-cottages, Canonbury-park, Islington, commission agent: in the Debtors Prison for London and Middlesex.—*Henry Paramour*, Ramsgate, Kent, baker: in the Debtors Prison for London and Middlesex.—*Wm. Gray Cruchley*, Brighton, Sussex, gentleman: in the Queen's Prison.—*Joseph William Woolley*, Fenchurch-st., City, ironmonger: in the Queen's Prison.—*The Rev. Camillo Mapei*, Upper Rupert-st., Haymarket, Middlesex, doctor of divinity: in the Debtors Prison for London and Middlesex.—*Henry Chubb*, Albert-road, East-st., Globe-fields, Mile-end, Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*George Wm. Drummond Hay*, Great Portland-st., Oxford-st., Middlesex, lieutenant in the Royal Artillery: in the Debtors Prison for London and Middlesex.—*Samuel Rushworth Redwell*, Cavendish-street, New North-road, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Frances Davidge*, widow, Twickenham, Middlesex, not in any trade: in the Debtors Prison for London and Middlesex.—*Joseph John Arnold*, Bruton-street, Bond-street, Middlesex, commission agent: in the Queen's Prison.—*Harry Mills*, Red Lion-street, Borough-market, Southwark, Surrey, potato salesman: in the Gaol of Surrey.—*William Joseph Rumbell*, Lavender-place, Bayswater, Middlesex, harness maker: in the Debtors Prison for London and Middlesex.—*Wm. Bryant*, Isaac's-place, Wilstead-street, Somers-town, Middlesex, carman: in the Debtors Prison for London and Middlesex.—*Eliza Ann Payne*, Cadogan-st., Sloane-st., Chelsea, Middlesex, spinster: in the Debtors Prison for London and Middlesex.—*Thomas Bower*, Earl-st., Marylebone, Middlesex, gardener: in the Debtors Prison for London and Middlesex.—*Robert Henessey*, Gray's-inn-lane, Middlesex, mahogany merchant: in the Debtors Prison for London and Middlesex.—*Stephen Geary*, Euston-place, Euston-square, Middlesex, architect: in the Debtors Prison for London and Middlesex.—*John Swain Champness*, Great Portland-street, Oxford-st., Middlesex, chemist: in the Debtors Prison for London and Middlesex.—*George Skellern*, Meard's-court, Wardour-st., Soho, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Wm. Jos. Attenbrow*, Oxford-st., Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*John Nicholles*, Regent-street, Middlesex, dentist: in the Debtors Prison for London and Middlesex.—*John Gathergood*, Wiggenhall St. Mary the Virgin, Norfolk, brickmaker: in the Gaol of Norwich.—*Thos. Cotton* the elder, Sheepshead, near Loughborough, Leicestershire, farmer: in the Gaol of Leicester.—*John Quail*, Liverpool, surgeon: in the Gaol of Lancaster.—*Henry Berry*, Lewes, Sussex, painter: in the Gaol of Lewes.—*Daniel Kershaw*, Halifax, Yorkshire, architect: in the Gaol of Halifax.—*Wm. Bailey*, Bradford, Yorkshire, clerk: in the Gaol of York.—*Robert Stokell*, Woodhouse Carr, near Leeds, Yorkshire, wheelwright: in the Gaol of York.—*David Hill*, Swansea, Glamorganshire, coal merchant: in the Gaol of Cardiff.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 28 *at* 11, *before Mr. Commissioner* LAW.

Wm. Norman, Whittington-place, Upper Holloway, Middlesex, out of business.

Nov. 29 *at* 11, *before Mr. Commissioner* PHILLIPS.

Bernard Graham, Lant-st., Southwark, Surrey, attorney's clerk.—*Robert Howe Gould*, Devizes, Wiltshire, and Surrey-st., Strand, author.—*Thos. Beesley*, Southwark-bridge-road, Surrey, out of business.—*Frederick Chapman*, Windsor-terrace, City-road, Middlesex, out of business.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, *Nov.* 24 *at* 3.

Edward Smith, Fen Ditton, gardener.

FRIDAY, NOVEMBER 16.

BANKRUPTS.

JOHN MORRISON, Craven-street, Strand, Middlesex, tailor, dealer and chapman, Nov. 28 and Dec. 21 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Sheard, 6, Old Jewry, City.—Petition dated Nov. 13.

RICHARD GOOD, Bishopsgate-street Without, London, stationer, dealer and chapman, (carrying on business under the style or firm of Good & Son), Nov. 27 at 11, and Jan. 4 at half-past 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Richardson, 3, Moorgate-street.—Petition dated Nov. 12.

WILLIAM DURRANT, Brenchley, Kent, dealer in cattle, dealer and chapman, Nov. 27 at half-past 11, and Dec. 31 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Appleton, 2, Philpot-lane, London.—Petition dated Nov. 12.

ARTHUR WILLIAMS, Nesbeth, Pembrokeshire, draper and general-shop keeper, dealer and chapman, Nov. 27 and Dec. 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Lomax & Humphrys, Bristol.—Petition filed Oct. 29.

MARIA FRANCES THOMAS, widow, Bristol, hotel keeper, victualler, dealer and chapwoman, Nov. 29 and Dec. 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Castle & Henderson, Bristol.—Petition filed Nov. 7.

THOMAS SAWTELL, Newport, Monmouthshire, baker and grocer, dealer and chapman, Nov. 30 and Dec. 26 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Wilkes, Gloucester.—Petition filed Nov. 8.

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WILLIAM ALFRED GLOVER, Tetbury, Gloucestershire, hatter, wine and spirit merchant, dealer and chapman, Dec. 3 and 31 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Kearsey, Stroud; Abbot, Bristol.—Petition filed Nov. 8.

THOMAS WHEELER, Liverpool, fruit merchant, (carrying on business there under the firm of Thomas and John Wheeler), Nov. 28 and Dec. 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Tyrer, Liverpool.—Petition dated Nov. 13.

JOHN MOULTON, Hulme, Manchester, joiner, builder, and timber merchant, dealer and chapman, Dec. 3 and 31 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition dated Nov. 10.

MEETINGS.

William Johnson, West Drayton, Middlesex, corn factor, Nov. 28 at 1, Court of Bankruptcy, London, pr. d.—*George Lewis*, Wrexham, Denbighshire, apothecary, Nov. 26 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*John Tuhey*, Willow-walk, Surrey, builder, Nov. 24 at 11, Court of Bankruptcy, London, last ex.—*Arthur Charman*, Downside, Cobham, Surrey, farmer, Nov. 27 at 12, Court of Bankruptcy, London, last ex.—*Hamlet Durose*, Woodsetton, near Sedgeley, Staffordshire, surveyor, Nov. 24 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Thomas Chambers*, Kingsland-road, West Hackney, Middlesex, baker, Dec. 5 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Francis Jenkinson*, Foubert-place, Regent-street, Middlesex, baker, Dec. 5 at 11, Court of Bankruptcy, London, aud. ac.—*John Francis Knobel*, Bolton-row, Piccadilly, Middlesex, wine merchant, Dec. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Edmund Woodruffe*, Winchester-house, Old Broad-street, London, insurance broker, Dec. 6 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Daniel Kentish*, Edgewarebury-farm, Edgeware, Middlesex, farmer, Dec. 6 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Thomas Frederick Jackson*, Southampton, auctioneer, Dec. 5 at 2, Court of Bankruptcy, London, aud. ac.—*Arthur Osborne*, Reading, Berkshire, linendraper, Dec. 5 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John Haskins Gandell*, Parliament-street, Westminster, Middlesex, and Llangollen, North Wales, railway contractor, Dec. 5 at 2, Court of Bankruptcy, London, aud. ac.—*Henry Bensley*, Southtown, Suffolk, bricklayer, Dec. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Alexander Prince*, Lincoln's-inn-fields and Russell-square, Middlesex, lithographer patent agent, Dec. 5 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John King* and *Joseph Francis King*, Wells-row, Islington, Middlesex, builders, Dec. 5 at 11, Court of Bankruptcy, London, aud. ac.—*Szymanski Leon*, Rathbone-place, Middlesex, tailor, Dec. 5 at 1, Court of Bankruptcy, London, aud. ac.—*Robert Daw* the younger, Launceston, Cornwall, and Napier-st., City-road, Middlesex, linendraper, Dec. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John B. Hamilton*, Grange-walk, Bermondsey-square, Bermondsey, Surrey, wholesale confectioner, Dec. 5 at 12, Court of Bankruptcy, London, aud. ac.—*Richard Rees*, Duke-street, Westminster, Middlesex, boot manufacturer, Dec. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Wm. Thos. Ferris*, Charles-st., Westminster, Middlesex, builder, Dec. 6 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Wm. Newton*, Bath, builder, Dec. 11 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Dec. 13 at 11, div.—*Wm. Prosser Martin*, Bath, wine merchant, Dec. 6 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thomas Baskerville Jones*, Brecon, maltster, Dec. 11 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Dec. 13 at 11, first and fin. div.—*H. Watkin*, Newport, Shropshire, draper, Nov. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*George Brown*, Carlisle, Cumberland, draper, Dec. 11 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 13 at half-past 10, fin. div.—*John Hitchins*, Chichester-place, Gray's-inn-road, and Upper Whitecross-st., Middlesex, leather seller, Dec. 7 at 1, Court of Bankruptcy, London, fin. div.—*George Holditch*, *John Flinn Holditch*, and *Edward Duncan Holditch*, Bankside, Southwark, Surrey, cider merchants, Dec. 8 at 1, Court of Bankruptcy, London, div.—*Godfrey Morgan*, Warminster, Wiltshire, maltster, Dec. 8 at 1, Court of Bankruptcy, London, div.—*Charles Cotton Butterfield*, Southampton, banker, Dec. 11 at 1, Court of Bankruptcy, London, div.—*T. Partridge* and *J. Jordan*, Luton, Bedfordshire, wine merchants, Dec. 7 at 11, Court of Bankruptcy, London, divs. joint and sep. ests.—*George Cowan*, Coventry, Warwickshire, draper, Dec. 18 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Thos. Davies*, Liverpool, merchant, Dec. 17 at 12, District Court of Bankruptcy, Liverpool, div.—*Wm. Cochran*, Lima, Peru, South America, and *John Parish Robertson*, London, merchants, Dec. 12 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Bensley, Southtown, Suffolk, bricklayer, Dec. 8 at half-past 12, Court of Bankruptcy, London.—*Peter Walker*, Gee-cross, Stockport, Cheshire, cotton waste dealer, Dec. 10 at 12, District Court of Bankruptcy, Manchester.—*Mary Bell Shoolbred*, widow, Manchester, cotton manufacturer, Dec. 10 at 12, District Court of Bankruptcy, Manchester.—*William Haden Richardson*, Darlaston, Staffordshire, tube manufacturer, Dec. 18 at 12, District Court of Bankruptcy, Birmingham.—*Philip Watkins*, Wacton, Herefordshire, tavern-keeper, Dec. 10 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Walter Wilson, Tavistock-place, Tavistock-square, Middlesex, apothecary.—*Wm. Welton*, Rotherhithe, Surrey, timber merchant.—*Walter Bridgewater Williams*, Burr-street, East Smithfield, Middlesex, wine merchant.—*Edward Munn*, Stone Farm, Beckenham, and Deptford-bridge, Kent, farmer.—*Richard Webster*, Cornhill, London, chronometer maker.—*Benjamin Couch Stenlake*, Tavistock, Devonshire, watch maker.—*Daniel Baseley*, Bolingbroke-row, Walworth, Surrey, cheesemonger,—*James Stott*, Balladen, Lancashire, cotton spinner.—*Thomas Harris*, Liverpool, auctioneer.—*John Yates* the younger, Colwich, Staffordshire, corn factor.

PARTNERSHIP DISSOLVED.

John Yonge and *Charles Hancock*, Tokenhouse-yard, London, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Wm. Calder, Greenock, coal merchant.—*John Harvey*, Glasgow, warehouseman.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Lees, Birmingham, out of business, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Willetts*, Birmingham, assistant to a butcher, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*T. Lynam*, Birmingham, huckster, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*Edward Jones*, Aston, Warwickshire, out of employ, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*Jos. Green*, Harborne, Staffordshire, cordwainer, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*Jos. H. Watts*, Aston, Warwickshire, painter, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Whittington*, Birmingham, omnibus proprietor, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*M. Scott*, Birmingham, assistant to a bootmaker, Dec. 3 at 2, County Court of Warwickshire, at Birmingham.—*A. Puckett*, widow, Milton, Gravesend, Kent, boarding-house keeper, Dec. 8 at 10, County Court of Kent, at Gravesend.—*Wm. Farrant*, Kingsdown, Kent, wood dealer, Dec. 10 at 10, County Court of Kent, at Dartford.—*Culy Harpham*, Whaplode, Lincolnshire, farmer, Dec. 6 at 2, County Court of Lincolnshire, at Holbeach.—*James Tobutt*, Handcross, Slaugham, Sussex, carrier, Dec. 6 at 12, County Court of Sussex, at Cuckfield.—*Thomas Robinson*, Long Buckby, Northamptonshire, grocer, Dec. 10 at half-past 12, County Court of Northamptonshire, at Daventry.—*James Holland*, Bury, Lancashire, overlooker in a cotton mill, Dec. 5 at 12, County Court of Lancashire, at Bury.—*Wm. Lewis*, Cheltenham, Gloucestershire, bookseller, Dec. 18 at 10, County Court of Gloucestershire, at Cheltenham.—*Thomas Haigh*, Huddersfield, Yorkshire, hatter, Dec. 21 at 10, County Court of Yorkshire, at Huddersfield.—*John Rymer*, Stockton-upon-Tees, Durham, shoemaker, Dec. 11 at 10, County Court of Durham, at Stockton.—*Jas. Chatfield*, Newport, Isle of Wight, cordwainer, Nov. 29 at 10, County Court of Hampshire, at Newport.—*James Ide*, Portfield,

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near Chichester, Sussex, thatcher, Nov. 28 at 11, County Court of Sussex, at Chichester.—*John Holder*, Worthing, Sussex, dyer, Nov. 26 at 11, County Court of Sussex, at Worthing.—*John Rowbotham*, Hyde, Stockport, Cheshire, tea dealer, Nov. 21 at 12, County Court of Cheshire, at Hyde.—*Edw. Jallands*, Nottingham, baker, Dec. 7 at 9, County Court of Nottinghamshire, at Nottingham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 30 *at* 10, *before Mr. Commissioner* LAW.

Wm. W. Smith, Marchmont-street, Brunswick-sq., Middlesex, dealer in furs.

Dec. 1 *at* 11, *before Mr. Commissioner* PHILLIPS.

Edward John Hill, Upper Southwark-street, Paddington, Middlesex, clerk in the National Debt-office.—*T. Butcher*, Cambridge-road, Bethnal-green, Middlesex, tin-plate worker.—*James G. Burnett*, Gresham-street, London, commission agent.—*Wm. Beverton*, Edwin-place, Park-road, Old Kent-road, Surrey, tin-plate worker.—*Wm. Baker*, King-street, Camden-town, Middlesex, out of business.

Dec. 1 *at* 10, *before Mr. Commissioner* LAW.

Thos. B. Hewlett, Charlotte-place, Goodge-street, Fitzroy-square, Middlesex, chandler's-shop keeper.

Dec. 3 *at* 10, *before Mr. Commissioner* LAW.

Charles Newberry, Charles-street, Northampton-square, Clerkenwell, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 30 *at* 11, *before Mr. Commissioner* HARRIS.

James Laurence, Medina-place, Upper Holloway, Middlesex, foreman to builders.

Dec. 1 *at* 10, *before Mr. Commissioner* LAW.

Wm. Gray Cruchley, Hill-street, Knightsbridge, Middlesex, midshipman.

Dec. 3 *at* 11, *before the* CHIEF COMMISSIONER.

The Rev. Camillo Mapei, Upper Rupert-street, Haymarket, Middlesex, doctor of divinity.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at HALIFAX, *Dec.* 7 *at* 10.

Daniel Kershaw, Halifax, architect.

At the County Court of Sussex, at LEWES, *Dec.* 4.

Henry Berry, Lewes, painter.

At the County Court of Cumberland, at CARLISLE, *Nov.* 27 *at* 10.

Thos. Cockbain, Carlisle, tailor.—*Mary Ashbridge*, Carlisle, out of business.

The Queen has been pleased to make the following Colonial Legal Appointments:—Henry John Glanville, Esq., to be Chief Justice for the Island of St. Christopher; Henry Isles Woodcock, Esq., to be Chief Justice for the Island of Dominica; and Archibald Paull Burt, Esq., to be her Majesty's Attorney-General for the Island of St. Christopher.

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The Jurist

No. 672—Vol. XIII. NOVEMBER 24, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
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LONDON, NOVEMBER 24, 1849.

In the 4th volume of The Jurist, (p. 593), we discussed a question which, at that day, excited great attention, not only among the members of the Profession, but at every table where educated men met. We allude to the question, whether Mr. Charles Phillips, then simple Counsellor at Law, since and now holding judicial office, had or not greatly exceeded the privilege of the Bar in his defence of a person accused of murder. We did not, in the paper referred to, actually name Mr. Phillips; but we took as admitted facts, in reference to which a principle was to be discussed, facts which all the world connected with the conduct of the Courvoisier defence; and we therefore, pro tanto, indirectly injured Mr. Phillips, if he was innocent of the conduct attributed to him.

Mr. Phillips has recently published a letter explaining all the circumstances, respecting which confused accounts, or other causes of error, had at the time misled the public. We are bound to say, that, after reading the letter of the learned Commissioner, no doubt whatever remains on *our* mind that his conduct was misrepresented, and that, in most painful and trying circumstances, he did exactly what a right-minded man and a conscientious advocate ought to have done. Whether this amende, late only because the explanation which has called it forth has been late, will administer, in any the slightest degree, balm to the wounded feelings of a man conscious of having been calumniated, we cannot, of course, form an opinion; we hope that it will. At any rate, we have unintentionally joined in a wrong; it is therefore our duty, as public writers, to retract, so soon as we have proof that we were wrong; and we have no slight gratification in finding, that, in acquiescing in the belief that a member of our Profession had been guilty of cruel and unconscientious conduct, we were wholly mistaken.

Mr. Commissioner Phillips's letter lays down the rule that is to govern the conduct of counsel in the defence of his client exactly as we have always conceived it. It is quite clear, that nothing can justify counsel in doing what is called, throwing up a brief, except that species of conduct in the client which amounts to a fraud upon his counsel, and would drag that counsel into a dishonourable position; or else the discovery that the client's case is utterly hopeless. But for a client, if he be a person charged with crime, to avow his criminality, or for a party to a civil proceeding to avow that he has no moral claim, is no ground for his counsel, who has accepted his brief, to throw it up.

It must not be forgotten, in this sort of inquiry, that counsel are not priests. It is not their duty to rebuke men for their moral iniquities, or to see that they are dealt with according to their moral merits or demerits. In judicial proceedings, the rights of suitors are dealt with according to the law of the country, and by their compliance with or departure from the rules of that law, are they to be judged. It may be, that, by applying the law, a criminal escapes punishment, or a just man meets injury. If such things happen, it is the fault of the law, the consequence of the imperfection of human institutions; but, since men's civil rights are the creatures of the municipal law, it is the duty of the advocate simply to see that his client obtains those rights to which by law he is entitled; and if, by the rules of the law, a man actually guilty in a moral point of view, is not legally guilty, it would be as gross an act of injustice in his counsel to abandon him, as it would be in his judges to condemn him.

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For, since it is by the laws of his country, and not by the law of God, that he is being judged, he has a right to have proper care taken that he is only found guilty according to those laws, by the standard of which he is judged. And it must be observed, that what we are here advocating is not, as the public sometimes view it, the encouragement of moral wrong, under cover of technical legal right, but merely the enforcing of those laws which represent the average morality of the community. If a thoroughly sound and high-toned moral principle governed the actions of all men, there would, of course, be no necessity for laws; but because each man's notions of right and wrong are considerably different from his neighbour's—because, in fact, there is no standard of high morality so recognised and earnestly believed in, as practically to regulate the conduct of men—therefore it is that laws are made. And as it passes human wisdom to make laws capable of embracing all possible cases, while the very object of having any laws at all is, that men may know what, in the absence of any internal standard by which to regulate their conduct, they may or may not do, it follows that the general cause of morality is better served by maintaining a general adherence to the fixed standard of morality settled by the municipal laws, than by each man endeavouring to set up his own particular view, the rectitude of which would be questioned by every one of his neighbours. And hence, also, it follows, that the counsel who confines himself to the establishment of his client's legal rights, without reference to the question, whether, in the particular case, those rights are also, in the opinion of the counsel, or of any considerable number of men, moral rights, is doing more to uphold the general morality of the community, while thus supporting a fixed rule, than he would by following his own opinion, even if that opinion were shared by most of those considered good men, and thus introducing uncertainty. In truth, laws are made for the very purpose of setting up some settled rule—not a perfect one, but as good a one as the average morality and intelligence of the country can frame; and the judge who should judge by any standard but those laws, or the advocate who should look to any other standard in the struggle for his client's rights, would be contending against the very certainty which it is the object of all legislation to provide with a view to the well-being and practical morality of the people. We say, therefore, that, on every ground, the practice of the Bar of defending a client, to the extent of seeing that he is only condemned *according to law*, is not only defensible, but highly beneficial to the community. Of course, counsel, in doing so, is not called upon to do or say anything compromising his own personal honour or integrity; he is not called upon to make any personal assertion of belief, contrary to his real belief. But take the very case which has elicited these observations, where the counsel is apprised that his client is actually guilty; yet, if the law has laid down, for the general protection, some certain rules of evidence, or otherwise, according to which only, the legal conclusion of a man's guilt is to be arrived at, it is the duty of counsel to do as Mr. Phillips did—to retain his brief, and to use every endeavour that his intellect can suggest, to take care that his client shall not be condemned, except by a conclusion strictly deducible by applying the fixed rules of the law to the evidence produced.

We slightly discussed in a former number (ante p. 309) the question, whether, under the Statutes of the Cathedral of Rochester, trusts were created or not in favour of the scholars for whose tuition the statutes make provision. We have been since favoured with a copy of a pamphlet circulated by the Rev. Mr. Whiston containing his defence to the citation of the Dean and Chapter of the Cathedral of Rochester, and we find therein a statement of the most material part of the statutes of the cathedral, in the following words:—

"The Statutes of Rochester Cathedral (A. D. 154[illegible] assign to the dean 100*l.*, and to each canon 20*l.* a year amounts which, according to the returns of the Ecclesiastical Commissioners, have been raised to 1428*l.* and 680*l.* respectively. The same statutes assign 5*l.* a year till the degree of B. A., and 6*l.* 13*s.* 4*d.* a year after the degree of M. A., to each of four students at the Universities, and ordain that they are to be maintained out of the funds of the cathedral church. 'Statuimus ut de bonis ecclesiæ nostræ quatuor scholares pauperes in academiis nostris semper *alantur*.'

"The statutes further assign 2*l.* 13*s.* 4*d.* a year to each of twenty scholars, and ordain that they also are to be maintained out of the same funds, and describe them as so maintained. 'Statuimus et ordinamus, ut sint perpetuo in ecclesiâ nostrâ roffensi, viginti pueri pauperes de bonis ecclesiæ nostræ *alendi*.'—'Hos pueros volumus impensis ecclesiæ nostræ *ali*.'—'Pueri grammatici qui sumptibus ecclesiæ nostræ *alentur*.'—'Pueri grammaticam addiscentes, *victum gratis* intra ecclesiam *datum* habentes.' At present, however, neither the four students, nor the twenty boys, are maintained at the costs and charges of the church, and they receive each only the same numerical sums of money as in 154[illegible], viz. 5*l.* and 2*l.* 13*s.* 4*d.* respectively—amounts which at that time were severally sufficient for the maintenance of a student at college and a boy at school.

"It should also be observed, that the statutes contain no provision, expressed or implied, for the division of a surplus amongst the dean and canons; and the subjoined scheme, drawn up for the original constitution of Rochester Cathedral, and submitted to Henry VIII, shews the intention of the founder to *exhaust* the whole of its revenues, by a distribution of them, in certain definite apportionments, among the various objects of his bounty. The scheme itself is preserved in the ledgers of the Augmentation Office, and is given in Henry VIIIth's 'Scheme of Bishopricks,' a small work published in 1838, by Mr. Henry Cole.

"ROCHESTER.

(Fol. 54).				£	s.	d.
First a deane for the corps of his promotion	£27	0	0			
Item 4*s.* by day	73	0	0			
				100	0	0
Item 6 prebendaryes ech in corps, 7*l.* 16*s.* 8*d.*	£47	0	0			
Item to ech 8*d.* by day in *dividend*, 12*l.* 3*s.* 4*d.*	73	0	0			
				120	0	0
Item a reder in divinitie				20	0	0
Item 4 students in divinitie whereof 2 to be *founde* at Oxford and 2 at Cambridge every of theym 6*l.* 13*s.* 4*d.*				26	13	4
Item 20 scolers to be taught gramer every of theym by the yere 53*s.* 4*d.*				53	6	8
Item a scolemaster for the same scholers				13	6	8
Item 6 peticanons every of theym by the yere 10*l.*				60	0	0
Item 6 laymen to serve the quyre every of theym 6*l.* 13*s.* 4*d.*				40	0	0

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Item 8 choristers every of theym, 3*l.* 6*s.* 8*d.* by the yere	26	13	4
Item a maister of the children	10	0	0
Item a gospeler	6	13	4
Item a pisteler	6	13	4
Item 2 sextens	12	0	0
Item 6 power men every oon of theym 6*l.* 13*s.* 4*d.*	40	0	0
Item yerely to be distributed in almes amongst power people	20	0	0
Item in reparacions yerely	53	6	8
Item in mendyng of high wayes	20	0	0
Item to the steward of landes by yere	6	13	4
Item to an auditour	6	13	4
Item to 2 porters to kepe the gates and shave the company by yere	12	0	0
Item to oon butler for his wages and diete	6	0	0
Item to oon cheife cooke for hys wages and diete	6	0	0
Item to oon under cooke for hys wages and diete	3	6	8
Item for the deanes expences in receyvyng and survayying the landes by the yere	10	0	0
Item to the cator. for his diete and wages	6	0	0
Item for extraordinary charges	20	0	0
Sum of all charges	705	6	8

For the tenths	£63	5	8
For first frutes	31	12	9
	£94	18	5
Sum of all charges	705	6	8
	£800	5	1

"And so if it please the King's Majestie the church to bere *all* charges of tenths, first frutes, and other, must be endowed with 800*l.* 5*s.* 1*d.*"

On Mr. Whiston's defence to the particular proceeding taken against him, we make no observation; we shall confine our notice to the question, whether, by the statutes of the cathedral, there is a trust declared in favour of the scholars and students mentioned in them; or, to take the more extensive view of the subject, whether the whole foundation of the cathedral is not a trust for the objects specified in the scheme set forth.

It is to be observed, that the same authority which endowed the cathedral, marked out the application of the income with which it was endowed; that the object of this, as well as most of the other cathedral endowments of the period, was not merely the preservation of cathedrals and cathedral worship, but the education of youth, principally for the church; that the exact proportion observed between the income and expenditure, or rather the specific appropriation of a given income to meet the ordained expenditure, is indicative of an intention in the founder, that all the objects named in the scheme should for ever participate in the benefits of the endowment; and, lastly, looking at the actual import of the language used, that, with regard to the scholars and students at least, the direction is positive that twenty boys and four students are to be nourished or maintained at the expense of the church for ever. Now, the funds assigned by the scheme were, at the time of their assignment, sufficient for maintaining such boys and students. How, then, can it be said that there was no trust in favour of the boys and students; and that the statutes, which direct them to be maintained, and provide for their maintenance, can be construed to intend, that, while the funds remain adequate for their maintenance, they should cease to be maintained? It is quite possible that the founder had no anticipation of the change which would take place in a few centuries in the value of money, and in the value of the endowment of the cathedral. But how does that affect the question of his intention to give a beneficial interest, to the extent of being maintained at school and at college, to that particular number of the King's subjects which the statutes specified? There are charities innumerable, in favour of the poor of a parish, or of certain designated classes, in which lands, originally worth 40*l.* or 50*l.* per annum, have been given for the purpose of dispensing the income in certain specified sums, for maintaining such poor or classes. Has it ever been contended, that because, by the increase in the value of money, the dole directed is insufficient for the purpose, there is no trust, and such dole is to be withheld?

We have in our former observations on this subject endeavoured to shew that this case is not the same as *The Attorney-General* v. *Magdalen College*, (10 Beav. 402). If it is not, then, we apprehend, it would be most difficult to shew that there is not a trust within the jurisdiction of equity. What construction would be put upon the statutes is quite another matter: it does not at all follow that the Court would adopt, in reference to the actual value of the cathedral endowment, the scale of payments directed by the original scheme; but it would, we think, beyond all question, hold that the twenty boys and four students should be maintained.

COURT OF COMMON PLEAS.

MICHAELMAS TERM.—13 VICTORIA.—*Nov.* 23.

This Court will, on Friday the 30th day of November instant, and on Tuesday the 4th day of December next, and on every succeeding day (Sunday excepted) until and inclusive of Monday the 10th day of December next, hold sittings, and will proceed in disposing of the business now pending in the Paper of New Trials, and also in the Special Paper, and will also proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

THOMAS WILDE.

WINTER CIRCUIT.

Day and place appointed for holding the Special Commissions of Oyer and Terminer and Gaol Delivery for the undermentioned places:—

Yorkshire, Tuesday, the 11th day of December, at the Castle of York.

City of York, the same day, at the Guildhall of the said City.

William Clayton Walters, Esq., of Newcastle-upon-Tyne, Barrister at Law, in compliance with the last will and testament of his maternal aunt, Dorothea Clayton, late of Hyde-park-street, in the county of Middlesex, spinster, deceased, has assumed the name of Clayton instead of that Walters; and the will not requiring this change of name to be effected under a royal license, Mr. W. C. Clayton has distributed a sum exceeding the cost of a license among the following charitable institutions:—The Church Pastoral Aid Society, 21*l.*; Casterton Clergy Daughters' School, 21*l.*; Home and Colonial School Society, Gray's-inn-lane, London, 10*l.* 10*s.*; Society for Improving the Condition of the Labouring Classes, London, 10*l.* 10*s.*; Northern Counties' Institution for the Deaf and Dumb, 10*l.* 10*s.*; Colonial Church Society, 10*l.* 10*s.*; Lord's Day Society, London, 5*l.*; Westgate Temperance Society, Newcastle-upon-Tyne, 5*l.*; The English Monthly Tract Society, London, 5*l.*; The Sailors' Home, Newcastle-upon-Tyne, 5*l.* 5*s.*

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following Gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—John Leach Nicholas, of Monmouth, in and for the county of Monmouth, also in and for the counties of Gloucester and Hereford; James Birkett, of Liverpool, in and for the county of Lancaster.

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London Gazettes.

TUESDAY, November 20.

BANKRUPTS.

EDWARD REYNOLDS the younger, Southtown, Gorleston, Suffolk, miller, Nov. 27 at 12, and Dec. 31 at half-past 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sols. Bailey, Norwich; Hudson & Co., 23, Bucklersbury.—Petition filed Nov. 16.

GEORGE MORE M'LEOD, formerly of Stoke Newington, Middlesex, and now of Stockwell, Surrey, common brewer, Dec. 1 at 1, and Jan. 5 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Lloyd, 36, Milk-street, Cheapside.—Petition dated Nov. 13.

BENTLEY M'LEOD, formerly of Stoke Newington, Middlesex, afterwards of Stockwell, and now of Brixton Rise, Surrey, common brewer, Nov. 30 at 2, and Dec. 21 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Lloyd, 36, Milk-street, Cheapside.—Petition dated Nov. 13.

THOMAS PAIN HILDER, Buttealand Farm, Kingsnorth, Kent, dealer in hops, Dec. 1 at half-past 12, and Dec. 22 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Steele, 1, Lincoln's-inn-fields.—Petition dated Nov. 16.

JAMES COOMBER, Walton-on-Thames, Surrey, licensed victualler, dealer and chapman, Nov. 27 and Dec. 27 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Buchanan, Walbrook-buildings.—Petition dated Nov. 14.

LEWIS JOEL, Little Argyll-street, Regent-street, Middlesex, jeweller and dealer in watches, Dec. 4 at 2, and Jan. 8 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Oldknow, 21, Great James-street, Bedford-row.—Petition dated Nov. 3.

WILLIAM COOPER, Coventry, Warwickshire, mercer and draper, dealer and chapman, Dec. 1 at half-past 12, and Jan. 5 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith & James, Birmingham.—Petition dated Nov. 14.

MICHAEL NEALE RAYNES, Birkenhead, Cheshire, timber merchant, dealer and chapman, (late in partnership with William Crowe, carrying on business at Birkenhead aforesaid, under the style or firm of Raynes & Crowe), Nov. 30 and Dec. 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Stime, Liverpool.—Petition dated Nov. 19.

PATRICK DRUM, Liverpool, glass bottle dealer, Dec. 4 and 21 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Yates, Liverpool.—Petition dated Nov. 16.

JOHN EEDSON CLARKE, CHARLES BUCKLES, and HODGSON INCHBOLD, Manchester and Swinton, Lancashire, contractors, brickmakers, dealers and chapmen, Dec. 3 and 31 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Goulden, Manchester.—Petition dated Nov. 8.

Meetings.

James Reed, Bermondsey-street, Southwark, Surrey, hop merchant, Nov. 28 at 11, Court of Bankruptcy, London, last ex.—*Edward Way* and *James Marsh Bennett*, Tunbridge Wells, Kent, chemists, Dec. 4 at 11, Court of Bankruptcy, London, last ex. of *James Marsh Bennett*.—*Lewis Pesman Capua*, Duke's-place, Aldgate, London, fruit merchant, Dec. 4 at 1, Court of Bankruptcy, London, last ex.—*Michael James Moses*, Houndsditch, London, foreign goods importer, Dec. 4 at 12, Court of Bankruptcy, London, last ex.—*Robert Griffin Bowyer*, Brick-lane, Old-street, Middlesex, grocer, Dec. 13 at 1, Court of Bankruptcy, London, last ex.; Dec. 13 at 11, div.—*William Tyer*, Gosport, Southampton, shoemaker, Dec. 12 at 12, Court of Bankruptcy, London, aud. ac.—*Henry Craske*, Wickham Skeith, Suffolk, grocer, Dec. 15 at 11, Court of Bankruptcy, London, aud. ac.—*James Bickerton* the younger, Bread-street, Cheapside, London, hat manufacturer, Dec. 1 at half-past 12, Court of Bankruptcy, London, aud. ac.—*James Redward*, Portsea, Southampton, fishmonger, Dec. 13 at 2, Court of Bankruptcy, London, aud. ac.—*Henry Paterson*, Notting-hill, Middlesex, livery-stable keeper, Dec. 13 at half-past 11, Court of Bankruptcy, London, aud. ac.; Dec. 15 at half-past 11, div.—*James Pulham*, Broxbourne, Hertfordshire, plasterer, Dec. 8 at half-past 12, Court of Bankruptcy, London, and. ac.—*J. Weeks*, Ryde, Isle of Wight, grocer, Dec. 8 at 11, Court of Bankruptcy, London, and. ac.—*Charles Saxon Hooper*, Lawrence Pountney-lane, London merchant, Dec. 6 at 1, Court of Bankruptcy, London, and ac.—*Wm. Thos. Farey*, West Smithfield, London, licensed victualler, Dec. 6 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Thomas Goodwin*, Pakenham, Suffolk, brewer Dec. 6 at 1, Court of Bankruptcy, London, and. ac.—*Geory Kirtland*, Bletchington and Hampton Gay, Oxfordshire, coa merchant, Dec. 6 at 1, Court of Bankruptcy, London, and ac.—*Charles Johns*, Great Queen-street, Lincoln's-inn-fields and Kirby-street, Hatton-garden, Middlesex, fixture dealer Dec. 8 at 12, Court of Bankruptcy, London, aud. ac.—*Dan Grant*, Cheapside, London, lithographer, Dec. 8 at 11, Cou of Bankruptcy, London, aud. ac.—*Joseph Gadd*, Harefield Middlesex, coal merchant, Dec. 8 at 12, Court of Bankrupte London, aud. ac.—*Thomas Inglis*, New-street, St. Martin's in-the-Fields, Middlesex, baker, Dec. 8 at half-past 11, Cou of Bankruptcy, London, aud. ac.—*George Smeil*, Coventry Warwickshire, draper, Dec. 10 at 10, District Court of Bank ruptcy, Birmingham, aud. ac.—*A. O. Martin*, Leeds, York shire, stationer, Dec. 13 at 11, District Court of Bankruptcy Leeds, aud. ac.—*Saml. Robinson*, Barnsley, Yorkshire, cotto spinner, Dec. 13 at 11, District Court of Bankruptcy, Leeds aud. ac.—*Henry Hardy*, Bradford, Yorkshire, tea dealer Dec. 13 at 11, District Court of Bankruptcy, Leeds, and. ac. —*Arthur Burton*, Ranelagh-wharf, Pimlico, Middlesex, coal merchant, Dec. 14 at 12, Court of Bankruptcy, London, fin. div.—*George Ackland*, Loughborough-road, Brixton, Surrey, merchant, Dec. 11 at 11, Court of Bankruptcy, London, div. —*John Carlile*, Little Love-lane, Wood-street, Cheapside, London, commission agent, Dec. 11 at 2, Court of Bankruptcy, London, fin. div.—*Edward Roberts*, Denbigh, currier, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, div. —*B. Adlington* and *E. Jones*, Liverpool, tailors, Dec. 14 at 11, District Court of Bankruptcy, Liverpool, div.—*Christopher Wetherherd*, Liverpool, merchant, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, div.—*John Meredith*, Tattenhall, Cheshire, maltster, Dec. 14 at 12, District Court of Bankruptcy, Liverpool, div.—*Richard Baynes*, Liverpool, flour dealer, Dec. 14 at 12, District Court of Bankruptcy, Liverpool, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

E. R. Barnes, North Walsham, Norfolk, tailor, Dec. 11 at half-past 11, Court of Bankruptcy, London.—*James Upton*, Wandsworth, Surrey, corn dealer, Dec. 12 at 11, Court of Bankruptcy, London.—*Wm. Shackel*, Canning-place, Old-street, St. Luke's, Middlesex, bacon merchant, Dec. 12 at 1, Court of Bankruptcy, London.—*William L. Kelly*, Commercial-street, Monmouth, bookseller, Dec. 15 at 1, Court of Bankruptcy, London.—*Henry Aldrich*, Ipswich, Suffolk, coal merchant, Dec. 14 at 12, Court of Bankruptcy, London. —*H. Paterson*, Notting-hill, Middlesex, livery-stable keeper, Dec. 13 at half-past 11, Court of Bankruptcy, London.—*S. Blomfield*, Kelvedon, Essex, corn dealer, Dec. 11 at 12, Court of Bankruptcy, London.—*Thos. V. Bowater*, Birmingham, factor, Dec. 12 at 12, District Court of Bankruptcy, Birmingham.—*Peter Roberts*, Birmingham, builder, Dec. 13 at 12, District Court of Bankruptcy, Birmingham.—*Joseph Morris*, Tettenhall, Staffordshire, butcher, Dec. 11 at 12, District Court of Bankruptcy, Birmingham.—*Henry Clark*, Leicester, cabinet-maker, Dec. 14 at 11, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Thomas Forshall, Grove-house, Doddington-grove, Kennington, Surrey, lodging-house keeper.—*J. Hawken*, Duke-street, Lincoln's-inn-fields, Middlesex, builder.—*T. Wisking*, St. John-street, Brick-lane, Bethnal-green, Middlesex, timber merchant.—*James Stott*, Balladen, Lancashire, cotton spinner. —*Wm. Dixon*, Manchester, ironmonger.—*John Wells*, Charworth, Salwarpe, Worcestershire, cattle salesman.—*Elizabeth Bussell*, *Robt. Bussell*, and *C. Bussell*, Gloucester, builders. —*G. Ellins*, Droitwich, Worcestershire, salt manufacturer.—*Edward Pass*, Sheffield, Yorkshire, butcher.—*George Henry Husband*, Salford, Lancashire, joiner.—*John Edmondson*, Warrington, Lancashire, miller.—*Wm. Clayton*, Langcliffe, Yorkshire, *W. Clayton*, Lostock, Walton-le-Dale, Lancashire, and *Wm. Wilson*, Preston, Lancashire, bankers.

Scotch Sequestrations.

James S. Carnachan, Glasgow, druggist.—*Thomas Brown*,

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Airdrie, grocer. — *Thomas Simpson*, Ferry-Port-on-Craig, slater.—*Peter M'Lean* and *John Donald M'Lean*, Dundee, cabinet makers.—*John Smith*, Bellfield, near Kinross, farmer. —*David Munro*, Inver, near Tain, fish curer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Russell, Hulme, Manchester, baker, Nov. 30 at 11, County Court of Lancashire, at Manchester.—*R. Chadwick*, Manchester, assistant manager in a cotton mill, Nov. 30 at 11, County Court of Lancashire, at Manchester.—*Chas. Trimby*, Bath, slater, Dec. 8 at 12, County Court of Somersetshire, at Bath.—*George Roberts*, Vallis Way, Frome, Somersetshire, tea dealer, Dec. 12 at 12, County Court of Somersetshire, at Frome.—*Charles Smith*, Bath, blind maker, Dec. 1 at 12, County Court of Somersetshire, at Bath.—*Alfred Waddy*, Bath, bookseller's assistant, Dec. 1 at 12, County Court of Somersetshire, at Bath.—*Samuel Postlethwaite*, Leicester, grocer, Dec. 13 at 10, County Court of Leicestershire, at Leicester.—*Wm. Kemp*, Chart Sutton, Kent, out of business, Dec. 4 at 12, County Court of Kent, at Maidstone.—*George Brown*, Aylesford, Kent, licensed victualler, Dec. 4 at 12, County Court of Kent, at Maidstone.—*Martin Harpham*, Burgh-in-the-Marsh, Lincolnshire, harness maker, Dec. 5 at 12, County Court of Lincolnshire, at Spilsby.—*Wm. Vowles*, Walcot, Bath, butcher, Nov. 24 at 12, County Court of Somersetshire, at Bath.—*John Asby*, Walcot, Bath, dealer in tea, Dec. 1 at 12, County Court of Somersetshire, at Bath.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 4 *at* 11, *before Mr. Commissioner* HARRIS.

George Montague, Hawley-road West, Camden-town, Middlesex, engraver.—*George Fred. Bragg*, Swinton-st., Gray's-inn-road, Middlesex, lithographer.—*Chas. Devereux Hustler*, De Beauvoir-terrace, Kingsland-road, Middlesex, attorney at law.—*York Clark*, Woolwich, Kent, blacksmith.—*Richard Keene*, Caudle-cottage, Hammersmith, Middlesex, out of business.—*Henry Payne*, Clapton-square, Hackney, Middlesex, messenger to the East and West India Dock Company.—*Charles Wray*, John-st., Penton-st., Pentonville, Middlesex, out of business.—*Wm. E. Ponten*, Maria-terrace, Barnsbury-park, Islington, Middlesex, clerk to a brewer.—*F. Duffield*, Chester-place, Old Kent-road, Surrey, watchmaker.

Dec. 4 *at* 10, *before Mr. Commissioner* LAW.

James Price, Upper Seymour-street, Euston-square, Middlesex, grocer.

Dec. 5 *at* 11, *before the* CHIEF COMMISSIONER.

John Harris, Richard's-terrace, Albion-st., Rotherhithe, Surrey, practical engineer. — *Charles Greaves*, Manor-row, Queen-st., King's-road, Chelsea, Middlesex, carpenter.—*W. Fletcher*, Romford, Essex, grocer.—*Arthur Henry Leman*, Great Prescot-st., Goodman's-fields, Middlesex, out of business.—*Wm. Fred. Tribble*, Lucas-street, Commercial-road, Middlesex, builder.—*George Smith*, Wilton-mews, Wilton-street, Grosvenor-place, Pimlico, Middlesex, carpenter.

Dec. 5 *at* 10, *before Mr. Commissioner* LAW.

Wm. Hart, Greenwich, Kent, milkman.—*Josiah Price*, Caledonian-lodge, Trigon-road, Clapham-road, Surrey, lieutenant in her Majesty's Royal Marine Forces.

Saturday, Nov. 17.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Alfred Stamford, Southwold, Suffolk, surgeon, No. 71,691 C.; Fred. S. Costerton, assignee.—*Christopher Metcalfe*, Manchester, plumber, No. 71,499 C.; Thomas F. Langford, assignee.—*John Brown*, Berry Edge, Durham, innkeeper, No. 71,118 C.; George Gibson, assignee.—*John Stares*, Emsworth, Southampton, greengrocer, No. 71,600 C.; Thos. King, assignee.—*Richard Burch*, East Dereham, Norfolk, appraiser, No. 53,116 C.; Anthony Bailey, assignee.—*John Isaac Adams*, Henry-pl., Old Kent-road, Surrey, zinc-worker, No. 60,980 T.; Charles Garner, assignee.—*George Pope*, South Brent, near Weston-super-Mare, Somersetshire, farmer, No. 71,110 C.; Wm. Anderson, assignee.

Saturday, Nov. 17.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Mark Crothers, Carlisle-st., Portman-market, Middlesex, pewterer: in the Debtors Prison for London and Middlesex.—*Michael Magnier*, Walcot-sq., Lambeth, Surrey, clerk in the General Post-office: in the Debtors Prison for London and Middlesex.—*Wm. Ford*, New Bridge-st., Vauxhall, Surrey, shoemaker: in the Gaol of Surrey.—*Wm. Prebble*, Mersham, near Ashford, Kent, publican: in the Queen's Prison.—*Eliz. C. Parker*, Great Portland-st., Marylebone, Middlesex, dressmaker: in the Debtors Prison for London and Middlesex.—*Caroline Horseman*, Davies-street, Berkeley-sq., Middlesex, milliner: in the Debtors Prison for London and Middlesex.—*Morris S. Flatan*, Sandys-row, Bishopsgate-st., Middlesex, traveller: in the Debtors Prison for London and Middlesex.—*John Trickey*, Great Bath-street, Clerkenwell, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Mark Firrell*, Mermaid-court, High-st., Southwark, Surrey, smith: in the Queen's Prison.—*John Carter*, King-street, Seven-dials, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Caslake*, Gloucester-st., Queen-square, Bloomsbury, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Thomas Sayer Leake*, Upper Sydenham, Kent, carpenter: in the Queen's Prison.—*Henry Jacobs*, Duke-st., Aldgate, butcher: in the Debtors Prison for London and Middlesex.—*John Mobbs*, Sellwood-place, Old Brompton, Middlesex, in no trade: in the Queen's Prison.—*Zaccheus Andrew Bice*, Croft West, Kenwyn, Cornwall, farmer: in the Gaol of Bodmin.—*Samuel Morton*, Salford, Lancashire, fustian dealer: in the Gaol of Lancaster.—*Jas. Morris*, Steynton, Pembrokeshire, farmer: in the Gaol of Haverfordwest.—*Wm. Thos. Curtis*, Claines, Worcester, saddler: in the Gaol of Worcester. — *Sophia Codling*, widow, Norwich, schoolmistress: in the Gaol of Norwich.—*James Rashbrook*, Troy-town, Rochester, Kent, plumber: in the Gaol of Maidstone.—*Henry Hutton*, Manchester, provision dealer: in the Gaol of Lancaster.—*Joshua Robinson*, Liverpool, tea dealer: in the Gaol of Lancaster.—*Sidney Stott*, Mirfield, Yorkshire, waterman: in the Gaol of York.—*Jas. Thompson*, The Baths, near Thornbury, Gloucestershire, licensed victualler: in the Gaol of Gloucester.—*Chas. Robinson*, Oldham, Lancashire, cotton manufacturer: in the Gaol of Lancaster.—*John Scott*, Clitheroe, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Edw. Houghton Taylor*, Over Darwen, near Blackburn, Lancashire, quarryman: in the Gaol of Lancaster.—*Grace Wilson*, Stanningley, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Joshua Webster*, Ossett, near Dewsbury, Yorkshire, shoemaker: in the Gaol of York. — *John Heywood*, Feniscoles, near Blackburn, Lancashire, quarryman: in the Gaol of Lancaster.—*Wm. Knowles*, Cheadle, near Stockport, Cheshire, builder: in the Gaol of Lancaster.—*Daniel Milner*, Cheetham, Manchester, ironmonger: in the Gaol of Lancaster.—*Robert Potts*, Liverpool, shopman: in the Gaol of Lancaster.—*Robert Preston*, Hey, Thongs Bridge, near Huddersfield, Yorkshire, dyer: in the Gaol of York.—*Joseph Ryley*, Farnley, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Wm. Humphreys*, Liverpool, porter: in the Gaol of Lancaster.—*Wm. Little*, Eggleston Abbey-bridge, near Greta-bridge, Yorkshire, toll-bar keeper: in the Gaol of Durham.—*George Adcock*, Everton, Liverpool, licensed victualler: in the Gaol of Lancaster. — *James Butterworth*, Manchester, commission agent: in the Gaol of Lancaster.—*Wm. Firth*, Stanningley, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.

(On Creditor's Petition).

Noah Coward, Gunnis Lake, near Tavistock, Cornwall, speculator in mines: in the Gaol of Bodmin.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 5 *at* 10, *before Mr. Commissioner* LAW.

Abraham Thayers, Wonersh, near Guildford, Surrey, gardener.—*John Cox*, Princes-st., Clifton-st., Finsbury, Middlesex, cabinet maker.—*Thomas Bower*, Earl-street, Maryle-

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bone, Middlesex, gardener.—*Edward Brighton*, Swinton-st., Gray's-inn-road, Middlesex, out of business.

Dec. 6 at 11, before Mr. Commissioner PHILLIPS.

Edgar Wm. Dow, Sylvan-grove, Old Kent-road, Surrey, out of employment.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Herefordshire, at HEREFORD, *Dec. 13 at 10.*

Wm. Parsons, Hereford, bailiff.

At the County Court of Yorkshire, at SHEFFIELD, *Dec. 5 at 12.*

Robert Smith, Sheffield, hawker of sandwiches.

At the County Court of Kent, at MAIDSTONE, *Dec. 4.*

James Rashbrook, Troy-town, Rochester, plumber.

At the County Court of Cornwall, at BODMIN, *Dec. 5 at 10.*

Zacchæus Andrew Bice, Croft West, Kenwyn, farmer.

At the County Court of Leicestershire, at LEICESTER, *Dec. 13.*

Thomas Cotton the elder, Sheepshed, near Loughborough, out of business.

At the County Court of Berkshire, at READING, *Dec. 5.*

Samuel Dell, Reading, coachbuilder.

FRIDAY, NOVEMBER 23.

BANKRUPTS.

GEORGE JOHN ROBINS, Ilford, Essex, victualler, dealer and chapman, Dec. 1 at 2, and Jan. 5 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Fry & Rowley, 80, Cheapside.—Petition dated Nov. 20.

ISAAC ROWLES, Abingdon, Berkshire, innkeeper, carpenter, and builder, dealer and chapman, Dec. 1 at half-past 12, and Jan. 5 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Franklan, Abingdon, Berkshire; Ford & Lloyd, 5, Bloomsbury-square.—Petition dated Nov. 19.

ELIZABETH WEST and ALFRED HARRY WEST, Adelaide-st., Strand, Middlesex, tailors, Dec. 7 at half-past 11, and Jan. 5 at half-past 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wilson, 13, Furnival's-inn.—Petition dated Nov. 17.

HENRY SEARCH, Lower-road, Rotherhithe, Surrey, carpenter and builder, dealer and chapman, Dec. 7 at 11, and Jan. 5 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Rogers, Manchester-buildings, Westminster.—Petition dated Nov. 20.

CHARLES EDWARD PUGH, Cross-st., Islington, Middlesex, and East-lane, Old Kent-road, Surrey, licensed retailer of beer, dealer and chapman, Dec. 7 at 1, and Jan. 5 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Piercy & Hawkes, 15, Three-crown-square, Southwark.—Petition dated Nov. 6.

JOHN WILLIAMS and WALTER EDWARD RUST, Strand, Middlesex, booksellers, (carrying on business under the style or firm of John Williams & Co.), Dec. 4 at half-past 11, and Jan. 14 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Houghton & Co., 4, Verulam-buildings, Gray's-inn.—Petition dated Nov. 15.

THOMAS MARSHALL, Hatfield-st., Christchurch, Surrey, licensed victualler, dealer and chapman, Dec. 1 and 29 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Davis & Poole, 79, Blackfriars-road.—Petition dated Nov. 17.

JOHN CHISHOLM and WILLIAM CHISHOLM, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, (trading with Robert Fellowes Hunt, an infant, under the firm of Edo, Chisholm, & Co.), Dec. 5 at 1, and Jan. 4 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Williamson & Gurney, 2, Nicholas-lane, City.—Petition dated Nov. 13.

THOMAS PETER COLLINS, Bristol, tailor and draper, Dec. 7 and Jan. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Ambury, Bristol.—Petition filed Nov. 19.

RICHARD SMITH, Droitwich, Worcestershire, corn dealer and seedsman, dealer and chapman, Dec. 8 and Jan. 5 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Smith & James, Birmingham.—Petition dated Nov. 22.

MEETINGS.

Richard Abram, Liverpool, merchant, Dec. 7 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*T. Chambers*, Roehampton, Putney, Surrey, and Kingsland-road, West Hackney, Middlesex, baker, Dec. 5 at 12, Court of Bankruptcy, London, last ex.—*Thomas Wilson* and *Hen. Corlett*, Manchester and Preston, Lancashire, merchants, Dec. 6 at 11, District Court of Bankruptcy, Manchester, last ex.—*John Morrison*, Beauliew-hill, Norwood, Surrey, coal merchant, Dec. 14 at 11, Court of Bankruptcy, London, aud. ac. and div.—*Thomas Shell*, Box, Wiltshire, quarrymaster, Dec. 13 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Benj. Rotherham*, Chesterfield, Derbyshire, plumber, Dec. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 17 at 12, first and fin. div.—*Joseph Perriam*, Exeter, porter merchant and ship agent, Dec. 6 at 1, District Court of Bankruptcy, Exeter, and. ac.—*William Lee*, Honiton, Devonshire, builder, Dec. 11 at 11, District Court of Bankruptcy, Exeter, and. ac.—*George Henry Wey*, Glastonbury, Somersetshire, innkeeper, Dec. 6 at 1, District Court of Bankruptcy, Exeter, and. ac.—*Josiah Bindon*, Holne, Devonshire, cattle dealer, Dec. 6 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*C. S. Head* and *H. B. Lott*, Honiton, Devonshire, bankers, Dec. 11 at 11, District Court of Bankruptcy, Exeter, and. ac.; Dec. 18 at 11, div. sep. est. of *H. B. Lott*.—*Thomas Fenwick* and *Robert Kidd*, Tynemouth, Northumberland, common brewers, Dec. 18 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Dec. 20 at 11, div.—*Thomas Hunter*, Bishopwearmouth, Durham, grocer, Dec. 18 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Thomas T. Clarke*, Sunderland, Durham, baker, Dec. 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Nicholas Brown*, Hexham, Northumberland, timber merchant, Dec. 18 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Dec. 20 at 12, div.—*C. Rippon*, Rogerly-hall, Stanhope, Durham, limeburner, Dec. 20 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Thos. Hutchinson*, Sunderland, and Wingate, Durham, tea dealer, Dec. 18 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Thos. Biglands*, Monkwearmouth, Durham, grocer, Dec. 18 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Chas. Nixon*, Birmingham, picture-frame maker, Dec. 5 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*John Meredith*, Tattenhall, Cheshire, maltster, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*J. Power* and *J. Wallace*, Liverpool, merchants, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, and. ac. sep. est. of *J. Wallace*.—*R. Greenhow*, Liverpool, merchant, Dec. 7 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*J. Charley*, Liverpool, merchant, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Wm. Swann*, Liverpool, merchant, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*T. Turner*, *Daniel Brade*, and *Charles Schwind*, Liverpool, merchants, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*H. Gardner*, Liverpool, merchant, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Wm. Cochran*, Lima, Peru, South America, and *John P. Robertson*, London, merchants, Dec. 7 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Stevens*, Britwell Salome, Oxfordshire, ironfounder, Dec. 14 at 12, Court of Bankruptcy, London, div.—*Robert Selby*, Burleigh-street, Strand, Middlesex, wine merchant, Dec. 14 at 12, Court of Bankruptcy, London, div.—*R. H. F. Williams* and *M. Wilson*, Liverpool, merchants, Dec. 14 at half-past 11, Court of Bankruptcy, London, div.—*James Skinner* the younger, Bristol, linendraper, Dec. 18 at 11, District Court of Bankruptcy, Bristol, div.—*J. B. Senger*, Bristol, cabinet maker, Dec. 21 at 11, District Court of Bankruptcy, Bristol, fin. div.—*W. E. Holmes*, Lichfield, Staffordshire, coachmaker, Dec. 8 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*George Miles*, Droitwich, Worcestershire, salt manufacturer, Dec. 15 at 11, District Court of Bankruptcy, Birmingham, div.—*Andrew White*, Frederick-lodge and Tunstall-lodge, Bishopwearmouth, Durham, coal owner, Dec. 18 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Isaac L. Mocatta*, Liverpool, commission merchant, Dec. 14 at 11, District Court of Bankruptcy, Liverpool, div.—*M. Hardy*, Bradford, Yorkshire, tea dealer, Dec. 14 at 11, District Court of Bankruptcy, Leeds, div.—*Samuel Robinson*, Barnsley, Yorkshire, cotton

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spinner, Dec. 14 at 11, District Court of Bankruptcy, Leeds, div.—*A. O. Martin*, Leeds, stationer, Dec. 14 at 11, District Court of Bankruptcy, Leeds, div.—*Thomas Butterworth*, Greenbooth-mills, near Rochdale, Lancashire, woollen manufacturer, Dec. 5 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Morrison, Beauliew-hill, Norwood, Surrey, coal merchant, Dec. 14 at 11, Court of Bankruptcy, London.—*George Gatrell*, Chichester, Sussex, carrier, Dec. 14 at 12, Court of Bankruptcy, London.—*Elizabeth Aydon* and *Thomas Wm. Ferguson*, Newcastle-upon-Tyne, grocers, Dec. 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thos. Knight*, Bristol, silversmith, Dec. 20 at 11, District Court of Bankruptcy, Bristol.—*Joseph Ashworth*, Bury, Lancashire, gardener, Dec. 18 at 1, District Court of Bankruptcy, Manchester.—*James Parr*, Manchester, woollen-card manufacturer, Dec. 18 at 12, District Court of Bankruptcy, Manchester.—*Wm. Maude*, Bolton-le-Moors, Lancashire, licensed victualler, Dec. 18 at 12, District Court of Bankruptcy, Manchester.—*Henry Green*, Liverpool, ironmonger, Dec. 17 at 11, District Court of Bankruptcy, Liverpool.—*Thomas Francis*, Birmingham, nail manufacturer, Dec. 18 at 12, District Court of Bankruptcy, Birmingham.—*Rev. Thos. Fred. Paull Hankins*, Hereford, cider and perry merchant, Dec. 17 at 11, District Court of Bankruptcy, Birmingham.—*John Holden*, Burslem, Staffordshire, earthenware manufacturer, Dec. 15 at half-past 10, District Court of Bankruptcy, Birmingham.—*George Plant*, Stafford, grocer, Dec. 15 at 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Everett Evans, Trowbridge, Wiltshire, woollendraper.—*John Robson*, Sunderland, Durham, grocer.—*John Christopher Rees Weguelin*, Shaldon, St. Nicholas, Devonshire, out of business.—*Josiah Bindon*, Holne, Devonshire, cattle dealer.—*John King*, Liverpool, licensed victualler.—*Thomas Lewis*, Hereford, timber merchant.—*Thomas Dowell*, Monmouth, innkeeper.

SCOTCH SEQUESTRATION.

Margaret Stewart, Newhaven, near Trinity, spirit dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Newey, Newark-upon-Trent, Nottinghamshire, out of business, Dec. 8 at 12, County Court of Nottinghamshire, at Newark.—*Wm. Hilton*, Farndon, Nottinghamshire, out of business, Dec. 8 at 12, County Court of Nottinghamshire, at Newark.—*Wm. Roberts*, Carnarvon, shoemaker, Dec. 11 at 10, County Court of Carnarvonshire, at Carnarvon.—*Daniel Harford Cox*, St. Alban's, Hertfordshire, rate collector, Nov. 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*George Sims*, Great Grimsby, Lincolnshire, omnibus conductor, Dec. 11 at 1, County Court of Lincolnshire, at Great Grimsby.—*Wm. Thomas*, Tal-y-bout, Llanddetty, Brecknockshire, cabinet maker, Nov. 24 at 10, County Court of Brecknockshire, at Brecknock.—*Richard Waring*, Luton, Bedfordshire, gentleman, Nov. 28 at 11, County Court of Bedfordshire, at Luton.—*Wm. Robbins*, Kingsclear, Southampton, out of business, Dec. 7 at 10, County Court of Berkshire, at Newbury.—*John Aston*, Gretton, Winchcomb, Gloucestershire, small farmer, Dec. 12 at 10, County Court of Gloucestershire, at Winchcomb.—*George Whitmarsh*, Worcester, corn dealer, Dec. 18 at 10, County Court of Worcestershire, at Worcester.—*Charles Walker*, Worcester, out of business, Dec. 18 at 10, County Court of Worcestershire, at Worcester.—*George Pickford*, Yeovil, Somersetshire, shopkeeper, Dec. 12 at 10, County Court of Somersetshire, at Yeovil.—*Benj. Carver*, Quorndon, Leicestershire, blacksmith, Dec. 10 at 10, County Court of Leicestershire, at Loughborough.—*Samuel Keyston*, Stamford, Lincolnshire, whipmaker, Dec. 3 at 2, County Court of Lincolnshire, at Stamford.—*Thos. Cross*, Sleaford, Lincolnshire, farmer, Dec. 7 at 11, County Court of Lincolnshire, at Sleaford.—*Thos. Grigg*, Stokeclimsland, Cornwall, innkeeper, Dec. 12 at 11, County Court of Cornwall, at Launceston.—*John Burke*, Marlowes, Hemel Hempstead, Hertfordshire, doctor of medicine, Nov. 30 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Richard Lewis*, Clifton, Bristol, beer retailer, Jan. 2 at 11, County Court of Gloucestershire, at Bristol.—*Samuel Tippett*, Portbury, Somersetshire, boot and shoe maker, Jan. 2 at 11, County Court of Gloucestershire, at Bristol.—*Michael Alman*, Bristol, attorney, Jan. 2 at 11, County Court of Gloucestershire, at Bristol.—*Samuel Fowler*, Cullompton, Devonshire, baker, Dec. 13 at 10, County Court of Devonshire, at Tiverton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 8 at 11, *before Mr. Commissioner* HARRIS.

James Tighe, St. Mary Axe, London, dealer in marine stores.—*William Knowles*, Halsey-terrace, Cadogan-street, Chelsea, Middlesex, beer-house keeper.—*Jas. Bourne*, George-street, Harper-street, New Kent-road, Surrey, commercial traveller.—*Charles Blake Durston*, Portland-street, Regent-street, Middlesex, undertaker.—*Pietro Frigerio*, Eyre-street-hill, Hatton-garden, Middlesex, wireworker.—*Isaac Goldsmid*, St. James's-place, Aldgate, fruit merchant.

Dec. 10 at 11, *before Mr. Commissioner* PHILLIPS.

William Green, Wells-place, Gower's-walk, Whitechapel, Middlesex, dealer in coals.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 7 at 11, *before Mr. Commissioner* HARRIS.

James Russell, Little May's-buildings, Leicester-square, Middlesex, manager of a cork-cutting company.—*W. Brown*, Richard-street, Liverpool-road, Islington, hairdresser.—*John Western*, Caledonia-terrace, East India-road, Poplar, Middlesex, shipwright.—*John Swain Champness*, Great Portland-street, Oxford-street, chemist.

Dec. 10 at 11, *before the* CHIEF COMMISSIONER.

John Nicholles, Regent-street, Oxford-street, Middlesex, dentist.—*William James John*, Park-cottages, Canonbury-park, Middlesex, out of business.

Dec. 10 at 11, *before Mr. Commissioner* HARRIS.

Henry Chubb, Albert-road, East-street, Globes, hairdresser.—*Henry Paramour*, Globe-fields, Mile-end, Middlesex, hairdresser.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *Dec. 7 at* 11.

William Thompson, Salford, clog-sole maker.—*John Parkinson*, Blackburn, upholsterer.—*John Heywood*, Withnell, near Blackburn, quarryman.—*Edw. Houghton Taylor*, Over Darwen, quarryman.—*Richard Standing*, Waddington, out of business.—*George Adcock*, Liverpool, out of business.—*Dan. Milner*, Manchester, ironmonger.—*Robert Potts*, Liverpool, shopman.—*Charles Robinson*, Oldham, cotton manufacturer.—*Jos. Clegg*, Manchester, blacksmith.—*Sarah Garside*, Ashton-under-Lyne, licensed victualler.—*William Hind*, Preston, painter.—*William Whalley*, Blackpool, fruit dealer.—*Samuel Marland*, Ashton-under-Lyne, sub-contractor and paviour.—*William Collier*, Lees, near Manchester, out of business.—*Wm. Knowles*, Cheadle, near Stockport, Cheshire, stonemason.—*Joshua Robinson*, Gaol of Liverpool, out of business.—*Robert Ainsworth*, Manchester, paper dealer.—*Henry Hutton*, Manchester, grocer.—*Charles Parsonage*, Liverpool, butcher.—*John Tempest*, Healey, near Rochdale, commission agent.

At the County Court of Gloucestershire, at GLOUCESTER, *Dec. 10 at* 10.

James Thompson, Thornbury, out of business.

MEETING.

James Hazard, Shidfield, Droxford, Southampton, retailer of beer, Dec. 11 at 12, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.

INSOLVENT DEBTOR'S DIVIDEND.

George Henry Worthington, Gloucester, captain-adjutant and acting paymaster in the South Gloucester Militia, Nov. 30, at Dewey's, Gloucester: 9¾*d.* in the pound, (in addition to a former dividend of 10*d.* in the pound).

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LONDON, DECEMBER 1, 1849.

An important question has lately been raised in the Court of Common Pleas relating to the office of the Registrar of Joint-stock Companies. It arose in a case of *The Barwen Iron Company* v. *Barnett*. The declaration was for instalments due on shares. The defendant pleaded that the company was within the stat. 7 & 8 Vict. c. 110; but that, although it had been completely registered, its deed of settlement did not contain the particulars required by that statute. The plea was holden bad on general demurrer, upon the ground, that a certificate of complete registration effectually incorporates a joint-stock company, even although it may have been granted under a mistake or on a defective deed. The Court appeared to be of opinion, that, in such a case, there might be a mode of setting aside the certificate, but that, as long as it was in force, no person should be allowed to say that it did not properly incorporate the company.

The above was a case in which the complaint was, that a company had been completely registered which ought not to have been so. Another case is pending in the Court of Queen's Bench, in which the complaint is, that the certificate has been refused where it ought to have been granted. We allude to *Reg., on the Prosecution of the National Land Company, (provisionally registered)*, v. *The Registrar of Joint-stock Companies*." There, a mandamus, setting forth the deed of settlement of the company, has gone to the Registrar, commanding him to renew the certificate of provisional registration, and grant a certificate of complete registration. He has returned three grounds for non-compliance—first, that the company is not established for profit, &c., within the stat. 7 & 8 Vict. c. 110; secondly, that, by the deed, the directors are empowered to sell lands, &c. by lot, contrary to the lottery acts; and, thirdly, that the company is also a banking company, contrary to the banking acts. To this return the prosecutors have demurred generally, because they contend that the Registrar has no right to travel out of the deed, which shews the company to be within the Joint-stock Companies Act, and does not shew that the lottery or banking statutes have been contravened.

Now, here, we presume, a question, which was incidentally raised in *The Barwen Iron Company* v. *Barnett*, will recur, namely, whether the Registrar is a ministerial or judicial officer; and if the latter, whether, at all events, his discretion is not limited by the deed of settlement, and by a compliance on the part of the company with the express provisions contained in the 7 & 8 Vict. c. 110, as amended by the 10 & 11 Vict. c. 78.

The material provisions on this point in the former statute are the following:—It is intituled, "An Act for the Registration, &c. of Joint-stock Companies," and it recites the expediency of preventing the establishment of any companies which shall not be duly constituted and regulated according to its provisions. Having stated to what companies the act shall and shall not apply, it enacts, that, upon proceeding to make public an intention to form any such company, the promoters shall make certain returns to the office for registration of joint-stock companies, and upon the registration of some they "shall be entitled to a certificate of provisional registration." (Sect. 4). No joint-stock company is entitled to receive a certificate of complete registration unless it be formed by a deed, &c., which must contain certain particulars, and "*on the production* of such deed, setting forth such matters and making such provisions, &c., together with a complete abstract or

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index thereof, *to be previously approved by the Registrar*, and also a copy of such deed, for the purpose of registering the same, or as soon after such production as conveniently may be, the Registrar of Joint-stock Companies shall grant a certificate of complete registration, according to the provisions in this act in that behalf; and unless such deed and other matters be so produced, and such conditions be so performed, it shall not be lawful for him to grant such certificate." (Sect. 7). And if any deed appear to such Registrar to be insufficient by reason of omission or incompleteness, or if it contain provisions which appear to him to be inconsistent with or repugnant to the Joint-stock Companies Act, he shall notify the same to the persons who presented the deed, specifying the particulars wherein it is incomplete, &c. (Sect. 8). And if returns and documents be conformable to the provisions of this act, then it shall be the duty of the Registrar, and he is hereby required, forthwith to register the same, and, on demand, to grant to such company a certificate of provisional or complete registration. (Sect. 15). He is to be paid *5l.* for each of such certificates. (Sect. 21). On complete registration being certified by the Registrar, the company is incorporated. (Sect. 25).

It would appear from these provisions that the statute has imposed (as might have been expected) a limit upon the power of the Registrar in refusing to incorporate a company which appears, by its deed, to be within its meaning and intention. Thus, although he may object to the abstract or index of the deed, and to the insufficiency of the deed by reason of omission or incompleteness, or of its containing provisions inconsistent with or repugnant to the stat. 7 & 8 Vict. c. 110, yet it would seem, that if he approve of the abstract or index, and the deed of settlement *on the face of it* comply with the express requirements of the statute, he has no power to refuse registration on account of matter dehors the deed. Such appears to be the reasonable construction of the act; and wide as the Registrar's discretion is under its provisions, it hardly seems advisable to extend it by implication.

Review.

A Selection of Precedents from the best Modern Manuscript Collections, and Drafts of actual Practice; with General Common Forms and Variations, adapted to all the Circumstances usually occurring; forming a System of Conveyancing; with Dissertations and Practical Notes. By the late W. M. BYTHEWOOD, *of Lincoln's-inn, Esq., Barrister at Law. New Edition. By* CAYLEY SHADWELL, *of Lincoln's-inn, Esq., Barrister at Law. In Six Volumes. Vol.* 1, 8vo., *pp.* 728. [*Shaw & Sons*, 1849.]

In his Preface, Mr. Shadwell gives the following account of his design:—"It having been considered that 'one of the greatest inconveniences to which collections 'of Conveyancing Precedents are liable is the extreme 'bulk to which they are apt to run, and their conse-'quent expense, the editorship of the present work was 'offered me, on the condition of compressing into six 'volumes that which was previously published in nine. 'Having accepted the editorship on this condition, I had 'to consider how it could be accomplished, with least 'violence to the valuable labours of my predecessors, and 'without injury to the general utility of the work. It 'soon occurred to me that one of the principal reasons 'for the excessive length of this and similar collections 'was, that the compilers of them had usually attempted 'too much; that, by introducing extended discussions on 'various heads of law, instead of confining themselves 'to short practical notes, they had endeavoured to com-'bine the character of a commentary on the whole 'body of conveyancing law, with that of a collection of 'its forms—an endeavour which, from the immense 'mass of materials with which they would have to 'grapple, would necessarily, after all, be extremely in-'complete, and which, perhaps, might the more readily 'be dispensed with, when it is considered, that, to a 'considerable extent at least, the subject-matter of such 'discussions is to be found in other books, which any 'one attempting the practice of conveyancing can hardly 'be without. As these disquisitions, however, are, for 'the most part, of great merit in themselves, although, 'as I cannot help thinking, rather out of place in a 'work such as the present, I have felt that the deal-'ing with them is the most delicate part of the task I 'have undertaken, and, consequently, have endeavoured 'rather to abbreviate their contents than to exclude 'them altogether, giving, as much as may be, the re-'sults of the cases cited, but omitting the reasonings 'that may have led to them." After enumerating the statutory alterations in the law of real property since the publication of Mr. Bythewood's Precedents, Mr. Shadwell concludes:—"The enumeration of these va-'rious changes and improvements in the law—and the 'catalogue might have been greatly extended—will be 'sufficient, I trust, to justify me against the charge of 'temerity in dealing as freely as I have done, and still 'propose to do, with the materials collected by the gen-'tlemen that have preceded me, and in rejecting much 'which, though formerly of great value, is not, in my 'judgment, material to the present practice of convey-'ancing."

This explanation is not complete. Mr. Shadwell calls his work a "new" edition—not, as is usual, the second, third, or fourth, as the case may be; and he speaks of "the gentlemen who have preceded him." The present volume may be judged from its contents; but to estimate the probable value of his forthcoming volumes, we must know the materials he has to work with. The case stands thus:—The first volume of the first edition of Bythewood is dated August, 1821; the third volume, November, 1823. Three volumes, containing the comparatively unimportant titles, "*Acknowledgment, Affidavit, Agreement, Annuity, Appointment, Apportionment, Arbitration, Assent, Attestation, Attornment, Award, Bargain and Sale for a Year, Bond*, and *Confirmation*," were all that he lived to complete. On his death the work was completed by Mr. Jarman, to whom alone the important titles, "*Leases, Mortgages, Partnership Deeds, Purchase Deeds, Releases and Composition Deeds, Settlements, Wills*," &c., in the work known as "Bythewood & Jarman's Conveyancing," are due. Mr. Jarman afterwards prepared a second edition of Mr. Bythewood's volumes and of his own; and the completion of a third edition of the whole by Mr. Sweet is expected with some impatience by the Profession. In the mean time, for some reason, a rival continuation of Bythewood and new edition of his three volumes was published by Messrs. Parken & Stewart, which was completed many years ago, in nine volumes. It is a new edition of this work, and not of the very different one by Mr. Jarman, that is now before us; and it is to Messrs. Parken & Stewart alone, and not to Messrs. Jarman and Sweet, that Mr. Shadwell alludes as his predecessors. What, therefore, is to be looked for in the forthcoming volumes, as soon as the title "Confirmation" is passed, will be neither Bythewood nor Jarman, but Parken & Stewart and Shadwell.

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It is not our business now to characterise Messrs. Parken & Stewart's performance. Mr. Bythewood's precedents were not good, were mostly very special, and are now obsolete. Many of his notes, now also out of date, were very good, but they consisted, much more largely than is generally known, of verbatim extracts from the works of Powell, Roper, Sugden, and other writers of reputation. From some older writers he procured, at an easy rate, the materials for a display of legal antiquarianism.

From this statement, it appears, that while the work before us relies for its reputation on the name of Bythewood, it must owe its value to its present editor's labours. Those labours do not appear to have been exhausting, and Mr. Shadwell has succeeded in dealing delicately with the work of his predecessors. The precedents are, with very few exceptions, the old ones of Bythewood, unaltered, except by omitting the references to leases for years, and fines and recoveries. The forms of agreements for sales are unfurnished with the various important conditions which, since the time of Bythewood, have entirely changed the practice of sales. Some of the precedents cannot have been read by the editor. Thus, at p. 184, we have a form of an agreement by the "mayor, bailiffs, and commonalty" of a "town" exactly as Bythewood left it, without any reference to the Municipal Corporation Reform Act, which, besides regulating the proceedings of those bodies, has given them the uniform style of "mayor, aldermen, and citizens," (or "burgesses," as the case may be).

At p. 600 is a very extraordinary form, which Mr. Bythewood would certainly not have passed if *Stiffe* v. *Everett* (1 My. & C. 37) had been decided in his time —a security by assignment of a *personal* annuity held in trust for a married woman for her life, and not for her separate use. This assignment Mr. Shadwell directs to be acknowledged by the lady, pursuant to the 3 & 4 Will. 4, c. 74.

At p. 653 is a form of a warrant of attorney to acknowledge satisfaction on a judgment, and no hint that a "satisfaction piece" has been substituted for that instrument by several rules of court, of which the last is that of Trinity Term, 1848.

At p. 642 is a still graver mistake—a warrant of attorney with the old form of attestation, under which it would be absolutely void, and of course no reference to the provisions of the 1 & 2 Vict. c. 110, ss. 9 and 10.

Wishing to see if Mr. Shadwell had made any amends in his annotations for his neglect of the precedents, and remembering a long note by Mr. Bythewood on the liabilities of equitable mortgagees of leaseholds, we turned to the corresponding place in the present volume for the new editor's remarks on the question, whether the principle of Lord Cottenham's decision in *Moore* v. *Greg* (12 Jur. 952; 2 Phill. 717) extends to exempt every equitable assignee of leaseholds from liability to a suit for specific performance by the *lessor*. We little expected to find, in lieu of any such remarks, the following editorial statement of the existing law:—

"[It is now decided that the depositary of a lease, by way
'of equitable mortgage, will be held liable in equity to
'the rent and covenants, although he has not taken
'possession. (*Flight* v. *Bentley*, 7 Sim. 169).—Ed.]
'To avoid this liability, when a lease is deposited, there
'should be an agreement in writing for an underlease."

Flight v. *Bentley* was flatly overruled, by the learned judge who decided it, in *Moores* v. *Choat*, (8 Sim. 508); and *Lucas* v. *Comerford*, (3 Bro. C. C. 166; 1 Ves. 235), cited by Mr. Shadwell from Bythewood as being still law, was overruled in *Moore* v. *Greg*, where the Lord Chancellor, in a striking judgment, held that a lessor has no equity against a depositary of the lease, even though he has taken possession. Mr. Shadwell takes no notice either of this or of the other modern cases on the subject. (*Jenkins* v. *Portman*, 1 Kee. 435; *Close* v. *Wilberforce*, 1 Beav. 112; *Willson* v. *Leonard*, 3 Beav. 373; *Sandys* v. *Benson*, 4 Beav. 350).

At p. 215 is Mr. Bythewood's note on joint and several covenants, but no reference to any of the modern cases—*Lane* v. *Drinkwater*, (1 C. M. & R. 599); *Foley* v. *Addenbrooke*, (4 Q. B. 196); *Hopkinson* v. *Lee*, (6 Q. B. 964); *Wakefield* v. *Brown*, (9 Q. B. 219); *Addison* v. *Gibson*, (10 Q. B. 110); *Mills* v. *Ladbrooke*, (7 Scott's N. R. 1005); *Sorsbie* v. *Park*, (12 Mee. & W. 146); *Bradburne* v. *Botfield*, (14 Mee. & W. 559); *Wetherell* v. *Langton*, (1 Exch. 634); *Caldwell* v. *Bishe*, (2 Exch. 318), &c.

At pp. 332 et seq. is Bythewood's note on the proof in bankruptcy by annuitants and sureties. The old statutes, 49 Geo. 3, c. 135, s. 8, and c. 121, ss. 1 and 17, repealed by the 6 Geo. 4, c. 16, are set out at length, as in the first edition, and the decisions on them, now quite obsolete. The enactment of the 6 Geo. 4, c. 16, now also repealed, is then stated from the second edition. The present Bankrupt Act is not referred to. At p. 341 the law in insolvency is stated from the old act of the 7 Geo. 4, c. 57. The 1 & 2 Vict. c. 110, s. 58, and the 7 & 8 Vict. c. 96, s. 25, are not referred to, nor any of the important modern decisions. At p. 340 the editor gives his readers sect. 55 of the 6 Geo. 4, c. 16, not as the authorised printed copies have it, but "corrected according to the obvious meaning."

At p. 373 we are told, from Bythewood, that the statutes relating to estates pour autre vie do not relate to copyholds, and that such an estate in copyholds, if limited to a man, his executors and administrators, determines on his death. This was not law when Bythewood wrote; and the contrary has been since expressly enacted by the 7 Will. 4 & 1 Vict. c. 26, s. 6, which also, in express terms, excludes the supposed necessity, in any case, for resorting to Mr. Bythewood's expedient of limiting estates quasi pour autre vie, i. e. for years determinable; but Mr. Shadwell retains the note unaltered.

At p. 129 is Mr. Bythewood's note on agreements in restraint of trade, but no notice of any of the recent cases—*Ward* v *Byrne*, (5 Mee. & W. 548); *Hitchcock* v. *Coker*, (6 Adol. & Ell. 438); *Horner* v. *Greaves*, (5 Mee. & P. 768); *Proctor* v. *Sargent* (2 Scott's N. R. 289); *Glassington* v. *Thwaites*, (1 Sim. & S. 132); *Whittaker* v. *Howe*, (3 Beav. 383); *Rannie* v. *Irvine*, (8 Scott's N. R. 674); *Hinde* v. *Gray*, (1 Scott's N. R. 123); *Archer* v. *March*, (6 Adol. & Ell. 966); *Pilkington* v. *Scott*, (15 Mee. & W. 657); *Mallan* v. *May*, (11 Mee. & W. 665; 13 Mee. & W. 511); *Price* v. *Green*, (16 Mee. & W. 346); *Pemberton* v. *Vaughan*, (11 Jur. 411; 10 Q. B. 87); *Hartley* v. *Cummins*, (12 Jur. 57; 5 C. B. 260); *Nicholls* v. *Stretton*, (10 Q. B. 553), &c.

P. 152. "As the Statute of Uses does not extend
'to copyholds, according to the prevailing opinion, it
'seems that springing uses, or uses to arise in future,
'cannot be created by a surrender of copyholds." This is an abridgment of a long note by Bythewood. The law is now settled the other way. (*Boddington* v. *Abernethy*, 5 B. & C. 776; *Rex* v. *Oundle*, 1 Adol. & Ell. 283).

P. 195. A note on ancient lights—no hint of the Prescription Act.

At pp. 554 and 672, Bythewood's crotchet, that a rent pour autre vie cannot be limited to executors or administrators, or go to executors or administrators in default of any limitation, is re-stated without correction, although the case of *Bearpark* v. *Hutchinson* (4 Moo. & P. 843) (not to mention the Statute of Wills) has settled the contrary.

At p. 394 it is stated to be still the law, that an unadmitted surrenderee of copyholds cannot devise the right to admittance, although the Statute of Wills has some elaborate provisions for enabling him to do it.

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At p. 187 the editor professes to refer to the statutes as to exchanges of glebe lands and parsonage houses, but omits the 7 Geo. 4, c. 66, the 5 & 6 Vict. c. 54, s. 5, and the 9 & 10 Vict. c. 73, s. 22. So, at p. 205, he assumes to refer to the factors acts, and omits the 5 & 6 Vict. c. 39.

At p. 113 is Bythewood's note on sales by reversioners and expectant heirs. The latest case cited is *Fox* v. *Wright*, (6 Mad. 111). The important cases of *King* v. *Hamlet*, (2 My. & K. 456; 9 Bligh, 610); *Portman* v. *Taylor*, (4 Sim. 213); *Bawtree* v. *Watson*, (3 My. & K. 341); *Hincksman* v. *Smith*, (3 Russ. 433); *Potts* v. *Curtis*, (You. 543); *Wardle* v. *Carter*, (7 Sim. 490); *Aldborough* v. *Trye*, (7 Cl. & Fin. 436); *Davies* v. *Cooper*, (5 My. & C. 270), &c., are omitted.

Pp. 639 et seq. Note on warrants of attorney; 3 Geo. 4, c. 39, stated; but no notice taken of the 12 & 13 Vict. c. 106, s. 136, which puts an end to the exception contained in the act of Geo. 4, in favour of judgments signed on unfiled warrants of attorney within the twenty-one days; or of sect. 137, which extends the requisition as to filing to judges' orders on consent; or of the 1 & 2 Vict. c. 110, s. 60, and the 7 & 8 Vict. c. 96, s. 20, extending the protection of the 3 Geo. 4 to assignees in insolvency. No notice of the 6 & 7 Vict. c. 66; no notice of the important provisions of the 1 & 2 Vict. c. 110, ss. 9 and 10, as to attestation of warrants of attorney; and, as we have already observed, the old form of attestation, under which the warrant would be absolutely void, is retained. At p. 647 the editor says, that a judgment must be *docketted*, to bind the defendant's lands. In the precedent of a warrant of attorney to confess judgment (p. 646) he omits the proviso, that it shall not be necessary to revive the judgment after a year, and says, after Bythewood, that it is unnecessary. The Statute of Westminster, 13 Edw. 1, c. 45, which requires that to be done, is, however, still in force, and the proviso is still necessary. (See *Morris* v. *Jones*, 2 B. & C. 242; *Hiscocks* v. *Kemp*, 3 Adol. & Ell. 676; and *Morgan* v. *Burgess*, 1 Dowl., N. S., 850).

From these instances it may be judged how Mr. Shadwell has performed his implied promise to modernise Mr. Bythewood's precedents and notes. He has not been much more faithful to his express undertaking to abbreviate the notes, "giving, as much as may 'be, the results of the cases cited, but omitting the rea-'sonings that may have led to them." Mr. Bythewood's notes might often be reduced to one-fourth, without losing anything but words. At p. 115, his long statement of the case of *Shelley* v. *Marsh*, (3 Mad. 232), occupying nearly two pages of note, is retained. At pp. 234 et seq. two pages are devoted to a statement of the two cases of *Stedman* v. *Martinant* (13 East, 427) and *Wood* v. *Dodgson*, (2 Mau. & S. 195); and these are followed by some others at nearly equal length, all relating to doubts as to the rights of annuitants in bankruptcy, which were dispelled by the stat. 6 Geo. 4, c. 16. The obsolete clauses of the old bankrupt and insolvent acts are also printed at length. At pp. 352 et seq. is the case of *Cooke* v. *Brummell*, (2 Moore, 495), with the arguments of Serjeants Vaughan, Pell, Lens, and Best, occupying three pages; and a little further is the case of *Eyre* v. *Bartrop*, (3 Mad. 221), in two pages and a half, with the arguments of counsel. See also, pp. 399 to 401, *Clay* v. *Sharpe*, (18 Ves. 346); p. 449, *Graham* v. *Diggles*, (4 Taunt. 760); p. 451, *Lucas* v. *Comerford*, (1 Ves. jun. 435); p. 459, *Richards* v. *Chambers*, (11 Ves. 580). At pp. 674 et seq., *Webb* v. *Jiggs* (4 Mau. & S. 674) occupies more than three pages; but *Willoughby* v. *Willoughby* (4 Q. B. 687) is not cited. Pp. 665 to 673 are devoted to the questions as to the devolution of rents pour autre vie, which were never of much importance, and have been settled, since Mr. Bythewood's time, by the case of *Bearpark* v. *Hutchinson*, (cited above), and the late Wills Act.

These examples, taken from many more, are sufficient to shew that Mr. Shadwell has not modernised the precedents, nor corrected the law, nor pruned the luxuriances of his author.

Any one following, over the same ground, a writer so justly celebrated as Mr. Jarman for sound judgment, practical good sense, and deep and extensive learning, must have found that he had undertaken a task of no common difficulty; and certainly we cannot compliment Mr. Shadwell on his success in this undertaking. But it is due to Mr. Shadwell to state, that he appears to have exercised a most honourable forbearance as to availing himself of the labours of others—a forbearance which, though every man of honour must feel it as much a duty as to abstain from picking pockets, is, we fear, like many other virtues, often "more honoured in the breach than the observance."

Court Papers.

EQUITY SITTINGS AFTER MICHAELMAS TERM.

Court of Chancery.

Before the LORD CHANCELLOR, *at Lincoln's Inn.*

Monday .... *Dec.*	3	First Seal.—Appeal Motions and Appeals.
Tuesday.....	4	Appeals.
Wednesday	5	
Thursday	6	
Friday	7	(Petition-day).—Unopposed Petitions only and Appeals.
Saturday	8	Appeals.
Monday.....	10	Second Seal.—Appeal Motions and Appeals.
Tuesday.....	11	Appeals.
Wednesday	12	
Thursday.....	13	
Friday	14	(Petition-day).—Unopposed Petitions only and Appeals.
Saturday	15	Third Seal.—Appeal Motions and Appeals.
Monday.....	17	Appeals.
Tuesday.....	18	
Wednesday	19	Fourth Seal.—Appeal Motions and Appeals.
Thursday	20	Petition-day.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS.

At the Rolls.

Monday .... *Dec.*	3	Motions.
Tuesday	4	Pleas, Demurrers, Causes, Further Directions, and Exceptions.

At the Judicial Committee.

Wednesday	5	
Thursday.....	6	
Friday	7	
Saturday	8	

At the Rolls.

Monday.....	10	Motions.
Tuesday.....	11	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Wednesday	12	
Thursday	13	
Friday	14	
Saturday	15	Motions.
Monday.....	17	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Tuesday.....	18	
Wednesday	19	Motions.
Thursday	20	Petitions.

Such days as his Lordship may be engaged at the Judicial Committee excepted, of which (if any) due notice will be given.

Short Causes, Consent Causes, and Unopposed Petitions, on Monday, the 10th, and Saturday, the 15th December, at the sitting of the Court.

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Vice-Chancellors' Courts.

Before the VICE-CHANCELLOR OF ENGLAND, *at Lincoln's Inn.*

Monday .... *Dec.*	3	First Seal.—Motions.
Tuesday.....	4	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	5	
Thursday.....	6	
Friday	7	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	8	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	10	Second Seal.—Motions.
Tuesday.....	11	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	12	
Thursday.....	13	
Friday	14	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	15	Third Seal.—Motions.
Monday.....	17	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	18	
Wednesday	19	Fourth Seal.—Motions.
Thursday	20	Petition-day.
Friday	21	Short Causes.

Before VICE-CHANCELLOR KNIGHT BRUCE, *at Lincoln's Inn.*

Monday .... *Dec.*	3	First Seal.—Motions.
Tuesday.....	4	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	5	Bankrupt Petitions and Causes.
Thursday	6	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	7	(Petition-day).—Petitions and Causes.
Saturday	8	Short Causes and Causes.
Monday.....	10	Second Seal.—Motions.
Tuesday.....	11	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	12	Bankrupt Petitions.
Thursday.....	13	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Friday	14	(Petition-day).—Short Causes, Petitions, and Causes.
Saturday	15	Third Seal.—Motions.
Monday.....	17	Bankrupt Petitions and Causes.
Tuesday.....	18	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	19	Fourth Seal.—Motions.
Thursday.....	20	(Petition-day).—Short Causes, Petitions, and Bankrupt Petitions.

Before VICE-CHANCELLOR WIGRAM, *at Lincoln's Inn.*

Monday .... *Dec.*	3	First Seal.—Motions and Causes.
Tuesday.....	4	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	5	
Thursday	6	
Friday	7	
Saturday	8	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	10	Second Seal.—Motions and Causes.
Tuesday.....	11	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Wednesday	12	
Thursday	13	
Friday	14	(Petition-day).—Short Causes, Petitions, (unopposed first), and Causes.
Saturday	15	Third Seal.—Motions and Causes.
Monday.....	17	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	18	
Wednesday	19	Fourth Seal.—Motions and Causes.
Thursday.....	20	(Petition-day).—Short Causes, Petitions, and Causes.

The Queen has been pleased to direct letters-patent to be passed under the Great Seal, appointing John Elijah Blunt, Esq., to be one of the Masters in Ordinary in the High Court of Chancery, in the room of William Wingfield, Esq.

London Gazettes.

TUESDAY, NOVEMBER 27.

BANKRUPTS.

WILLIAM EDWARDS, late of Liverpool-st., London, but now of Norland-square, Notting-hill, Middlesex, merchant, dealer and chapman, Dec. 7 at 1, and Jan. 19 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Fearnhead, 17, Clifford's-inn.—Petition dated Oct. 16.

CHARLES HAYLOCK, March, Isle of Ely, Cambridgeshire, cabinet maker and joiner, dealer and chapman, Dec. 5 and Jan. 8 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Orton, March; Raw, 5, Furnival's-inn, Holborn.—Petition filed Nov. 20.

ELIZABETH RUST, Fouchers, Good Easter, Essex, brick maker, dealer and chapwoman, Dec. 11 at 12, and Jan. 17 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Lawrance & Plews, Old Jewry-chambers, London.—Petition dated Nov. 26.

NOAH PATTENDEN, Oxford, woollendraper, dealer and chapman, Dec. 4 at 12, and Jan. 17 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Jenkinson & Co., 29, Lombard-street, London.—Petition dated Nov. 17.

JAMES ADDINGTON, London-road, Southwark, Surrey, oil and colour man and varnish manufacturer, Dec. 4 at past 11, and Jan. 17 at 11, Court of Bankruptcy, London: Off. Ass. Turquand; Sol. Wheelock, 10, Chancery-lane.—Petition dated Nov. 19.

HENRY BRIDGES, Oxford-st., Middlesex, cabinet maker and turner, Dec. 4 at 1, and Jan. 14 at half-past 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Wright, 8, New-inn.—Petition dated Nov. 22.

ADOLPHUS WOOLFREY, Poole, auctioneer and furniture dealer, Dec. 7 at half-past 2, and Jan. 8 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Aldridge, Poole; Skilbeck & Hall, 19, Southampton-buildings, Chancery-lane.—Petition dated Nov. 21.

ROBERT HOWE GOULD, Strand, Middlesex, ice merchant, dealer and chapman, Dec. 4 at 11, and Jan. 8 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrance & Plews, 14, Old Jewry-chambers, London.—Petition dated Nov. 20.

THOMAS BASON, Buckingham, boot and shoe maker, Dec. 11 and Jan. 15 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Risley, 54, Doughty-st., Mecklenburgh-sq.—Petition dated Nov. 19.

WILLIAM GIBB the elder, Liverpool, commission agent, dealer and chapman, Dec. 10 and 31 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Tyrer, Liverpool.—Petition dated Nov. 24.

RICHARD INMAN, Manchester, ale and porter dealer, Dec. 13 and Jan. 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Slater, Manchester.—Petition filed Nov. 21.

MEETINGS.

Thomas Peters, Cambridge, tailor, Dec. 18 at 11, Court of Bankruptcy, London, pr. d.—*Reuben Michael*, Boulogne-sur-Mer, France, general merchant, Dec. 7 at 1, Court of Bankruptcy, London, last ex.—*Lion Guilleaume*, Berners-street, Oxford-street, Middlesex, manufacturer of artificial flowers, Dec. 17 at half-past 12, Court of Bankruptcy, London, aud. ac.—*John Thompson*, Piccadilly, Middlesex, linendraper, Dec. 18 at 2, Court of Bankruptcy, London, aud. ac.—*Isaac L. Mocatta*, Liverpool, commission merchant, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Ockleston*, Liverpool, hide merchant, Dec. 7 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Sharples*, Blackburn, Lancashire, cotton manufacturer, Dec. 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Charles Rowland*, Horsham, Sussex, stonemason, Dec. 18 at 12, Court of Bankruptcy, London, div.—*Edmund Warne*, Lisle-street, Westminster, Middlesex, carpenter, Dec. 21 at 11, Court of Bankruptcy, London, div.—*Wm. C. Lee*, Hastings, Sussex, grocer, Dec. 17 at 12, Court of Bankruptcy, London, div.—*Joseph Clark*, Mincing-lane, Fenchurch-st., London, colonial broker, Dec. 17 at 1, Court of Bankruptcy, London, div.—*Thomas Pasco*, Chichester, Sussex, upholsterer, Dec. 17

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at 2, Court of Bankruptcy, London, div.—*John Geale*, New Burlington-mews, Regent-street, Middlesex, livery-stable keeper, Dec. 21 at 1, Court of Bankruptcy, London, fin. div.—*Edward Tribe*, Bedford-street, Bedford-square, Middlesex, money scrivener, Dec. 18 at 12, Court of Bankruptcy, London, div.—*H. Watson*, Wilson-street, Finsbury, Middlesex, stove grate manufacturer, Dec. 18 at 11, Court of Bankruptcy, London, fin. div.—*Thomas Brown*, Red Lion-street, Whitechapel, Middlesex, plumber, Dec. 21 at 12, Court of Bankruptcy, London, fin. div.—*Robert Haylock*, Cambridge, chemist, Dec. 21 at 2, Court of Bankruptcy, London, fin. div.—*John Wenham*, Beckley, Sussex, tailor, Dec. 18 at 2, Court of Bankruptcy, London, div.—*Henry Delamain*, Liverpool, merchant, Dec. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*James Smith*, Liverpool, ship builder, Dec. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph Jones*, Liverpool, licensed victualler, Dec. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*John J. Palmer*, Birmingham, jeweller, Dec. 19 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*James Harper*, Dudley, Worcestershire, and Walsall, Tipton, and Bilston, Staffordshire, mercer, Dec. 18 at 12, District Court of Bankruptcy, Manchester, div.—*Wm. Britton*, Borrowby, near Thirsk, Yorkshire, manufacturer of linen cloth, Dec. 20 at 12, District Court of Bankruptcy, Leeds, div.—*J. Pulleine* the younger, Selby, Yorkshire, brewer, Dec. 21 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Stratford Alfred Byre, Fitzroy-street, Fitzroy-square, Middlesex, apothecary, Dec. 20 at 12, Court of Bankruptcy, London.—*John Webb*, Ramsgate, Kent, dealer in music, Dec. 21 at half-past 11, Court of Bankruptcy, London.—*S. Cox* the elder, Cobham-row, Clerkenwell, Middlesex, plumber, Dec. 21 at 12, Court of Bankruptcy, London.—*Chas. Hodge*, Plymouth, Devonshire, draper, Dec. 20 at 11, Court of Bankruptcy, London.—*Joseph Ford*, Richmond, Surrey, licensed victualler, Dec. 18 at half-past 12, Court of Bankruptcy, London.—*John Delf*, Drury-lane, Middlesex, linendraper, Dec. 18 at 1, Court of Bankruptcy, London.—*Lion Guillaume*, Berners-street, Oxford-street, Middlesex, manufacturer of artificial flowers, Dec. 17 at half-past 12, Court of Bankruptcy, London.—*George Smith*, Liverpool, merchant, Dec. 20 at 11, District Court of Bankruptcy, Liverpool.—*H. Solomon*, *James Smith*, and *James D. Galer*, Birmingham, grocers, Dec. 19 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas Inglis, New-street, St. Martin-in-the-Fields, Middlesex, baker.—*Joseph Forrester*, Whitehaven, Cumberland, mercer.—*C. S. Hooper*, Lawrence Pountney-lane, London, merchant.—*Wm. Turnpenny*, Birmingham, jeweller.—*G. P. Waterhouse*, Birmingham, coal merchant.—*Edw. Mesnard*, Sunderland, and *John Hudson*, Hartlepool, Durham, merchants.—*Wm. Dixon*, Manchester, ironmonger.—*W. Birks*, Nottingham, lace manufacturer.—*Andrew M'Conchie*, Nottingham, draper.—*Wm. Tomlinson*, Hinckley, Leicestershire, innkeeper.

FIAT ANNULLED.

John Dale Harwood, Liverpool, ironmonger.

FIAT SUPERSEDED.

John Brogden, Bradford, Yorkshire, woolstapler.

SCOTCH SEQUESTRATIONS.

Bayne & Henderson, Greenock, paper makers.—*John M. Houston*, Paisley, merchant.—*David M'Kie*, Calside, near Whithorn, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Salkeld, Kendal, Westmoreland, shoemaker, Dec. 1 at 9, County Court of Lancashire, at Ulverston.—*R. Peters*, Chew Magna, Somersetshire, farmer, Dec. 6 at 11, County Court of Somersetshire, at Clutton.—*Wm. Cox*, Chew Stoke, Somersetshire, farmer, Dec. 6 at 11, County Court of Somersetshire, at Clutton.—*C. Lloyd*, Little Harriet's, Great Malvern, Worcestershire, coal merchant, Dec. 17 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*J. Crossshaw*, Halifax, Yorkshire, farmer, Dec. 7 at 10, County Court of Yorkshire, at Halifax.—*Thomas Perkins*, Liverpool, shipwright, Dec. 3 at 10, Liverpool District County Court, at Liverpool.—*Thomas Faircloth*, Horningtoft, Norfolk, farming bailiff, Dec. 8 at 10, County Court of Norfolk, at East Dereham.—*S. Yager*, Exeter, Devonshire, shoemaker, Dec. 20 at 11, County Court of Devonshire, at Plymouth.—*Thos. Lark*, Strood, Kent, confectioner, Dec. 6 at 10, County Court of Kent, at Rochester.—*E. Miles*, Stoke Hammond, Buckinghamshire, out of business, Dec. 12 at half-past 1, County Court of Bedfordshire, at Leighton Buzzard.—*P. Griffiths*, Henscol, Wiston, Pembrokeshire, farmer, Dec. 14 at 10, County Court of Pembrokeshire, at Haverfordwest.—*W. C. Jones*, East Ilsey Berkshire, commission agent, Dec. 6 at half-past 10, County Court of Berkshire, at Wantage.—*Thornton Ousey*, Stalybridge, Lancashire, artist, Dec. 6 at 12, County Court of Lancashire, at Ashton-under-Lyne.—*Henry Bunn*, Gressenhall Norfolk, farmer, Dec. 8 at 10, County Court of Norfolk, at East Dereham.—*Patrick Burns*, Liverpool, provision dealer Dec. 3 at 10, Liverpool District County Court, at Liverpool.—*George Turner*, Liverpool, butcher's assistant, Dec. 3 at 10, Liverpool District County Court, at Liverpool.—*Saml. Jackson*, Wombleton, near Kirby Moorside, Yorkshire, innkeeper, Dec. 11 at 11, County Court of Yorkshire, at Helmsley.—*Edward Lampitt*, Watlington, Oxfordshire, attorney at law, Dec. 15 at 11, County Court of Berkshire, at Henley-on-Thames.—*Sydney Booth*, Holmfirth, Kirkburton, Yorkshire, out of business, Dec. 3 at 11. County Court of Yorkshire, at Holmfirth.—*Thomas Slater*, Kirkdale, near Liverpool, farmer, Dec. 3 at 10, Liverpool District County Court, at Liverpool.—*Elizabeth Mapowder*, widow, St. Thomas the Apostle, Devonshire, never in any business, Dec. 15 at 10, County Court of Devonshire, at Exeter.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 11 *at* 11, *before Mr. Commissioner* HARRIS.

Mary Ann Tutton, Amwell-street, Claremont-square, Islington, Middlesex, out of employ.—*John Bury*, Newport-court, Newport-market, Middlesex, butcher.—*John Peak*, Belinda-terrace, Downham-road West, Hackney, Middlesex, cabinet maker.—*Geo. Gosling*, Mayfield-road, Dalston, Middlesex, baker.—*Jemima Aire Hollocombe*, widow, Beaconsterrace, Kingsland-road, Middlesex.—*Edwin Isaac Edwin*, Long-acre, Middlesex, commission agent.—*Shadrach Wesley*, Wellington-place, Park-road, New Peckham, Surrey, baker.

Dec. 12 *at* 11, *before the* CHIEF COMMISSIONER.

Priscilla Clark, Great Guildford-street, Southwark, Surrey, baker.—*Daniel Gunston*, Georgiana-street, Camden-town, Middlesex, greengrocer.—*David Cooper*, Barking, Essex, shoemaker.—*Charles Maddock*, Charles-street, Hackney-road, Middlesex, beer-shop keeper.—*Thos. Denman*, Buckingham-street, Fitzroy-square, Middlesex, sculptor.

Dec. 13 *at* 10, *before Mr. Commissioner* LAW.

John Kenody, Tothill-street, Westminster, Middlesex, shoemaker.—*John Ainslie*, Perry-hill, Sydenham, Kent, out of business.—*William White*, Caledonia-place, Battle-bridge, Middlesex, artificial florist.—*Robert Martin*, Knight's-court, Wapping, Middlesex, out of business.—*John James Manby*, Castle-street, Holborn, London, law writer.—*Mary Wright*, East-street, Greenwich, Kent, baker.

Saturday, Nov. 24.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Hawgood, Derby, general dealer, No. 71,583 C.; Henry Hawgood, assignee.—*George Bather*, Edmond-street, King's-cross, Middlesex, copper-plate engraver, No. 69,553 T.; Andrew Donald, assignee.—*William Haythorn*, Plymouth, Devonshire, baker, No. 71,689 C.; Francis Hole Westlake, assignee.

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Saturday, Nov. 24.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Daniel Thomas, James-street, Larkhall-lane, Clapham, Surrey, grocer: in the Debtors Prison for London and Middlesex. —*John Grant Heard*, Banner-street, St. Luke's, Middlesex, fancy stationer: in the Debtors Prison for London and Middlesex.—*Wm. Griffin*, Devonshire-place, Green-lanes, Newington-green, Middlesex, fancy stationer: in the Debtors Prison for London and Middlesex.—*Charles Barnes*, Curtain-road, Shoreditch, Middlesex, timber merchant: in the Debtors Prison for London and Middlesex.—*Thomas Morris*, Arbour-square, Commercial-road East, Stepney, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*Edward Bifield*, Eliza-place, Elizabeth-street South, Pimlico, Middlesex, plasterer: in the Debtors Prison for London and Middlesex.—*Joachim Hayward Stocqueler*, Sunbury, Middlesex, author: in the Debtors Prison for London and Middlesex. —*F. Sivewright*, Aldenham-terrace, St. Pancras, Middlesex, law writer: in the Debtors Prison for London and Middlesex.—*Wm. J. Tindley*, College-st., Camden-town, Middlesex, tallow chandler: in the Debtors Prison for London and Middlesex.—*James Oliver* the younger, Albion-road, Woolwich New-town, Kent, grocer: in the Queen's Prison.—*Albine Cook*, Burton's-buildings, Friar-st., Southwark, Surrey, clerk at a saw-mill: in the Gaol of Horsemonger-lane.—*Charles Eastgate*, Long-acre, Middlesex, coachsmith: in the Debtors Prison for London and Middlesex.—*Thos. Selfe*, John-street, East-st., Walworth, Surrey, currier: in the Debtors Prison for London and Middlesex.—*Wm. Neville Eastwood*, Colbrook-terrace, Islington, Middlesex, clerk to a manufacturing chemist: in the Debtors Prison for London and Middlesex.—*Wm. Edwards*, Collier's-rents, White-st., Borough, Surrey, size and whiting manufacturer: in the Debtors Prison for London and Middlesex.—*Jos. Higgs*, West-st., Green-street, Bethnal-green, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Robert Talbot*, Arsenal, Woolwich, Kent, captain in her Majesty's Royal Artillery: in the Debtors Prison for London and Middlesex.—*Wm. Clark* the younger, Hemsworth-st., Hoxton Old-town, Middlesex, man milliner: in the Debtors Prison for London and Middlesex. —*Henry Doncaster*, Tenison-st., York-road, Lambeth, Surrey, writing clerk: in the Debtors Prison for London and Middlesex.—*Richard Jones*, George-st., Grosvenor-square, Middlesex, carpet-slipper maker: in the Debtors Prison for London and Middlesex.—*Wm. Geo. Parminter*, Wandsworth-common, Wandsworth, Surrey, schoolmaster: in the Queen's Prison.—*Robt. Ainsworth*, Salford, Lancashire, paper dealer: in the Gaol of Lancaster.—*Wm. Collier*, Rhodes-hill-lees, near Oldham, Lancashire, out of business: in the Gaol of Lancaster.—*Sarah Garside*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Wm. Hind*, Fishwick, Preston, Lancashire, painter: in the Gaol of Lancaster.—*Samuel Marland*, Ashton-under-Lyne, Lancashire, sub-contractor and pavior: in the Gaol of Lancaster.—*Thos. Bolton Taylor*, Preston, Lancashire, silk mercer: in the Gaol of Lancaster.—*John Tempest*, Healey, near Rochdale, Lancashire, commission-agent: in the Gaol of Lancaster.—*Wm. Whalley*, Blackpool, Lancashire, fruit and fish dealer: in the Gaol of Lancaster.—*Robert Frankland*, Preston, Lancashire, butcher: in the Gaol of Lancaster.—*James Poole*, Godney, Meare, Somersetshire, dairyman: in the Gaol of Wilton.—*Edw. Thomas*, Salford, near Manchester, ropemaker: in the Gaol of Lancaster.—*James Coomer*, Ardwick, Manchester, brickmaker: in the Gaol of Lancaster.—*Joseph Clegg*, Manchester, blacksmith: in the Gaol of Lancaster. — *Joshua Coates*, Pudsey, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Henry Firth*, Stanningley, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Thos. Nock*, Handsworth, Staffordshire, coal master: in the Gaol of Coventry.—*Richard Bowman*, Liverpool, tobacconist: in the Gaol of Lancaster.—*Wm. Webster*, Cambridge, slater: in the Gaol of Cambridge.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 12 *at* 10, *before Mr. Commissioner* Law.

Samuel Nash, Herbert-st., Hoxton, Middlesex, in no employment.

Dec. 13 *at* 11, *before Mr. Commissioner* Phillips.

John Vickers, Rutland-st., Stepney, Middlesex, miller.—*Samuel Rushworth Rodwell*, Cavendish-st., New North-road, Middlesex, out of business.—*Wm. Griffin*, Devonshire-place, Green-lanes, Newington-green, Middlesex, out of business.—*John Grant Heard*, Banner-square, St. Luke's, Middlesex, out of business.—*Jos. Williams*, Blackfriars-road, Surrey, ale and porter merchant.—*Jas. Taylor*, Mildmay-place, Southside, Stoke Newington-green, Islington, Middlesex, out of business.—*Wm. Jos. Attenbrow*, Oxford-st., Middlesex, out of business.—*Richard Samuel Campbell*, Gainsford-street, Horselydown, Surrey, coal merchant. — *Joachim Hayward Stocqueler*, Sunbury, Middlesex, author.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at Bristol, *Dec.* 12 *at* 11.

Joseph Cartwright Parkes, Bristol, ironmonger.

At the County Court of Herefordshire, at Hereford, *Dec.* 13 *at* 10.

Walter J. Phillips, Holmes, near Hereford, out of business.

At the County Court of Dorsetshire, at Dorchester, *Dec.* 12 *at* 12.

John Case, Bothenhampton, farmer.

At the County Court of Pembrokeshire, at Haverfordwest, *Dec.* 14 *at* 10.

James Morris, Stainton, farmer.

At the County Court of Glamorganshire, at Cardiff, *Dec.* 12.

David Hill, Swansea, coal merchant.—*Thomas Millward*, Merthyr Tydvil, out of business.

At the County Court of Norfolk, at the Guildhall at Norwich, *Dec.* 13.

Sophia Codling, widow, Norwich, out of business.

FRIDAY, November 30.

BANKRUPTS.

FREDERICK COLLIER CHRISTY, FREDERICK ADAMS, and JAMES POWELL HILL, Rotherhithe, Surrey, carrying on business as engineers, boiler makers, and iron and brass founders, at the Thames Iron Works, at Rotherhithe, (under the style or firm of Christy, Adams, & Hill), Dec. 12 at 1, and Jan. 11 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Tolson & Co., Bradford, Yorkshire; Cardale & Co., 2, Bedford-row, London.—Petition filed Nov. 17.

CHARLES WETHERILT, Down-st., Piccadilly, Middlesex, ironmonger, Dec. 12 and Jan. 11 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Melton, 6, Bedford-row.—Petition filed Nov. 27.

THOMAS GILL, Castle-street, Leicester-sq., Westminster, Middlesex, retailer of beer, commission agent, dealer and chapman, Dec. 7 at 2, and Jan. 11 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Few & Co., 2, Henrietta-st., Covent-garden.—Petition filed Nov. 19.

WILLIAM FREEMAN, Edgeware-road, Middlesex, licensed victualler, Dec. 8 at 2, and Jan. 19 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. a'Beckett, 7, Golden-sq.—Petition dated Nov. 27.

HENRY BENNETT, Chatham, Kent, corn dealer, dealer and chapman, Dec. 11 at 12, and Jan. 21 at half-pas 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Etherington, Chatham; Jones, Clement's-court, Lombard-street.—Petition dated Nov. 23.

WILLIAM CHARLES BARTLETT, Goswell-street, St. Luke's, and Rosemary-lane, St. Mary, Whitechapel, Middlesex, cook, pastrycook, confectioner, lozenge maker, dealer and chapman, Dec. 11 and Jan. 11 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Bateman, Exeter-street, Strand.—Petition filed Nov. 27.

HENRY ALLEN, Great Wild-st., Middlesex, carman and beer retailer, Dec. 8 and Jan. 10 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Blake & Poole, 79, Blackfriars-road.—Petition filed Nov. 29.

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ROBERT SKINNER, West Malling, Kent, brick maker, builder, dealer and chapman, Dec. 8 at half-past 12, and Jan. 12 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Morgan, Maidstone; Nichols & Doyle, Bedford-row.—Petition dated Nov. 24.

KAY DINSDALE, Oxford-st., Middlesex, saddler, dealer and chapman, Dec. 11 at half-past 11, and Jan. 17 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Burkitt, Curriers'-hall.—Petition dated Nov. 28.

JOHN BOWSER, Milton-st., Dorset-sq., St. Marylebone, Middlesex, timber merchant, dealer and chapman, Dec. 11 at 11, and Jan. 10 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Rye, Golden-sq.—Petition dated Nov. 26.

WILLIAM STEANE, Wellingborough, Northamptonshire, grocer, Dec. 11 at 12, and Jan. 10 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Tucker & Steavenson, Sun-chambers, Threadneedle-street.—Petition dated Nov. 17.

ROBERT NOBLE, Leadenhall-st., London, tailor, dealer and chapman, Dec. 11 at 1, and Jan. 12 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Mardon & Prichard, 99, Newgate-st.—Petition dated Nov. 28.

JAMES BOWLER, the Crescent, Southwark-bridge-road, Southwark, Surrey, hat manufacturer, (trading under the style or firm of John Bowler & Son), Dec. 14 and Jan. 15 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Frankham & Dixon, 31, Moorgate-st.—Petition dated Nov. 28.

JOHN COWLISHAW and JAMES COWLISHAW, Derby, railway carriage builders, Dec. 14 and Jan. 4 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Whiston & Son, Derby; Chaplin, Birmingham.—Petition dated Nov. 24.

JOEL BEER, Exeter, boot and shoe maker, Dec. 7 at 1, and Jan. 8 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sol. Richards, Exeter.—Petition filed Nov. 27.

WILLIAM FIRTH, HENRY FIRTH, GRACE WILSON, JOSEPH RYLEY, and JOSHUA COATES, Stanningley, Yorkshire, scribbling millers, (trading under the firm of William Firth & Co.), Dec. 11 and Jan. 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Lee, Leeds.—Petition dated Nov. 17, and filed Nov. 19.

JAMES NEWTON, Ashton-under-Lyne, Lancashire, innkeeper, dealer and chapman, Dec. 14 and Jan. 3 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Hobson; Sol. Buckley, Ashton-under-Lyne.—Petition filed Nov. 27.

PAUL MILLARD, Steeple Ashton, Wiltshire, grocer, draper, dealer and chapman, Dec. 13 and Jan. 10 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Rodway, Trowbridge; W. & C. Bevan, Bristol.—Petition filed Nov. 28.

JAMES PATERSON, Manchester, tailor and draper, Dec. 11 and Jan. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Hulton, Salford, Manchester.—Petition dated Nov. 23.

Meetings.

Shadrach Clark, Pickford Mills, Wheathampstead, Hertfordshire, papermaker, Dec. 11 at 11, Court of Bankruptcy, London, last ex.—*James Tidmarsh*, Regent-street, Middlesex, and Cheltenham, Gloucestershire, draper, Dec. 11 at 12, Court of Bankruptcy, London, last ex. and aud. ac.—*Edward Smallwood*, North End, Hampstead, and Hendon, Middlesex, schoolmaster, Dec. 11 at 11, Court of Bankruptcy, London, last ex. and aud. ac.—*Chas. Curtis*, Nottingham, corn factor, Jan. 4 at 10, District Court of Bankruptcy, Nottingham, last ex.—*Ebsworthy Tapson*, Cardiff, Glamorganshire, coal merchant, Dec. 21 at 12, District Court of Bankruptcy, Bristol, last ex.—*Edward Lord* and *Wm. Archer*, Painswick, Gloucestershire, millers, Dec. 21 at 11, District Court of Bankruptcy, Bristol, last ex. of *Edward Lord*.—*Geo. Hen. Way*, Glastonbury, Somersetshire, innkeeper, Dec. 27 at 1, District Court of Bankruptcy, Exeter, last ex.—*Cornelius Stovin Smith*, Louth, Lincolnshire, draper, Dec. 18 at 11, Court of Bankruptcy, London, aud. ac.—*Arthur Charman*, Downside, Cobham, Surrey, farmer, Dec. 19 at 11, Court of Bankruptcy, London, aud. ac.; Dec. 21 at 1, div.—*James Buddry Russell*, Tombland, Norwich, grocer, Dec. 22 at 11, Court of Bankruptcy, London, aud. ac.—*John Wenham*, Beckley, Sussex, tailor, Dec. 14 at 12, Court of Bankruptcy, London, aud. ac.—*William Ponting*, Calne, Wiltshire, nurseryman, Dec. 28 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Joshua Lee*, Manchester, paperhanger, Dec. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Harper*, Dudley, Worcestershire, and Walsall, Tipton, and Bilston, Staffordshire, mercer, Dec. 11 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Mat. Warren*, Macclesfield, Cheshire, silk dyer, Dec. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 21 at 12, div.—*John Owen*, Trefussy, Myford, Montgomeryshire, farmer, Dec. 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 21 at 11, div.—*Richard Abram*, Liverpool, wine merchant, Dec. 11 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 21 at 11, div.—*Joseph Jones*, Liverpool, licensed victualler, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Bartley*, Liverpool, and Egremont, Cheshire, money scrivener, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Maria Morgan*, widow, Liverpool, woollen-draper, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Barton*, Birkenhead, Cheshire, stonemason, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Roberts*, Denbigh, currier, Dec. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Carpenter*, Liverpool, shipowner, Dec. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Dalgliesh*, Liverpool, spirit merchant, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Dean*, Chester, wine merchant, Dec. 19 at 11, District Court of Bankruptcy, aud. ac.—*John Carlisle*, West Derby, Lancashire, builder, Dec. 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Cowie* and *James Clark*, Liverpool, merchants, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Henry Wallace Lowry* and *John Bailey Brown*, Liverpool, brokers, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wilson Jones*, Liverpool, merchant, Dec. 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Pulleine* the younger, Selby, Yorkshire, brewer, Dec. 20 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*William Britton*, Borrowby, near Thirsk, Yorkshire, manufacturer of linen cloth, Dec. 20 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Alfred Kinsey Taylor*, Ledbury, Herefordshire, draper, Dec. 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*George Millership*, Oldbury, Worcestershire, draper, Dec. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John James Palmer*, Birmingham, jeweller, Dec. 11 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Phillips*, Upper Ballingham, Herefordshire, banker, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 27 at 12, div.—*William Corns* the younger, Wolverhampton, Staffordshire, builder, Dec. 12 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Elizabeth Rutter*, Tunstall, Wolstanton, Staffordshire, grocer, Dec. 13 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. Thorney*, Wolverhampton, Staffordshire, carrier, Dec. 12 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. Deakin Devereux*, Leominster, Herefordshire, innkeeper, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Wright*, Longton, Stoke-upon-Trent, Staffordshire, grocer, Dec. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Harry Farncombe Hodson*, Romford, Essex, ironmonger, Dec. 21 at 1, Court of Bankruptcy, London, div.—*Edward Thompson*, *Henry Thompson*, and *Thomas George Thompson*, St. Martin's-lane, and Cockspur-st., Middlesex, linendrapers, Dec. 21 at 2, Court of Bankruptcy, London, fin. div.—*Thomas Kenny*, Liverpool, bookseller, Dec. 24 at 11, District Court of Bankruptcy, Liverpool, div.—*Saml. Brown*, Liverpool, millwright, Dec. 24 at 11, District Court of Bankruptcy, Liverpool, div.—*Maurice Jones*, Liverpool, saddler, Dec. 24 at 11, District Court of Bankruptcy, Liverpool, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph Hodson, Whaplode, Lincolnshire, draper, Dec. 21 at 11, Court of Bankruptcy, London.—*Jabez Spence Ranskill*, Great Dover-road, Southwark, Surrey, dealer in rice, Dec. 21 at 11, Court of Bankruptcy, London.—*Francis David*

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Lewis, Castle-court, Birchin-lane, London, and Oxford-st., Middlesex, printer, Dec. 21 at 11, Court of Bankruptcy, London.—*John Archer Dow*, Romford, Essex, draper, Dec. 22 at 1, Court of Bankruptcy, London.—*Chas. Mayhew*, Ebury-street, Pimlico, Middlesex, hosier, Dec. 22 at 12, Court of Bankruptcy, London.—*Geo. Milsom*, St. George, Gloucestershire, dealer in horses, Dec. 28 at 11, District Court of Bankruptcy, Bristol.—*Thomas Darck*, Bristol, hackney fly proprietor, Dec. 31 at 11, District Court of Bankruptcy, Bristol.—*Edw. Boyce*, Southam, Warwickshire, grocer, Dec. 22 at half-past 10, District Court of Bankruptcy, Birmingham.—*John Kidd*, Liverpool, England, and Dublin, Ireland, commission merchant, Dec. 21 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Simpson More*, Liverpool, share broker, Dec. 21 at 11, District Court of Bankruptcy, Liverpool.—*Richard Caleb Sweet*, Birmingham, builder, Dec. 27 at 12, District Court of Bankruptcy, Birmingham.—*Thos. Osborn*, Birmingham, sword maker, Dec. 27 at 12, District Court of Bankruptcy, Birmingham.—*Hamlet Durose*, Woodsetton, near Sedgley, Staffordshire, surveyor, Jan. 2 at 12, District Court of Bankruptcy, Birmingham.—*Charles Edwin Wilson* and *Hen. Wilson*, Rosymedre, Ruabon, Denbighshire, grocers, Dec. 21 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Claxton, Ipswich, Suffolk, publican, Dec. 14 at 10, County Court of Suffolk, at Ipswich.—*Christmas Goreham*, Ipswich, Suffolk, coachman, Dec. 14 at 10, County Court of Suffolk, at Ipswich.—*Wm. Mason*, Ipswich, Suffolk, currier, Dec. 14 at 10, County Court of Suffolk, at Ipswich.—*Hen. Mouser* the younger, Framsden, near Debenham, Suffolk, labourer, Dec. 14 at 10, County Court of Suffolk, at Ipswich.—*John Evans* the elder, Wolverhampton, Staffordshire, iron brazier, Dec. 11 at 12, County Court of Staffordshire, at Wolverhampton.—*James Henderson Carruthers*, Walsall, Staffordshire, draper, Dec. 17 at 12, County Court of Staffordshire, at Walsall.—*Edwin Lott*, Pontypool, Monmouthshire, painter, Dec. 28 at 10, County Court of Monmouthshire, at Pontypool.—*John Lynn*, Newcastle-upon-Tyne, licensed victualler, Dec. 19 at 10, County Court of Northumberland, at Newcastle.—*John Swain*, New Romney, Kent, farmer, Dec. 14 at 12, County Court of Kent, at Romney.—*Wm. Edy*, Neath, Glamorganshire, dealer in tea, Dec. 10 at 10, County Court of Glamorganshire, at Neath.—*J. Brunton*, Sunderland, Durham, out of business, Dec. 19 at 10, County Court of Durham, at Sunderland.—*David Coheni*, Bishopwearmouth, Durham, jeweller, Dec. 18 at 10, County Court of Durham, at Sunderland.—*John Lewis*, Chepstow, Monmouthshire, beer-house keeper, Dec. 17 at 11, County Court of Monmouthshire, at Chepstow.—*Henry John James*, Truro, Cornwall, grocer, Dec. 7 at 11, County Court of Cornwall, at Truro.—*Thos. Yarnold*, Chepstow, Monmouthshire, chemist, Dec. 17 at 11, County Court of Monmouthshire, at Chepstow.—*Chas. Gill*, Weston-super-Mare, Somersetshire, sheriff's officer, Dec. 18 at 2, County Court of Somersetshire, at Weston-super-Mare.—*Thomas Hemmons*, Congresbury, Somersetshire, cordwainer, Dec. 18 at 2, County Court of Somersetshire, at Weston-super-Mare.—*John Terry*, East Brent, Somersetshire, baker, Dec. 18 at 10, County Court of Somersetshire, at Axbridge.—*John Powell*, Birmingham, fruiterer, Dec. 10 at 2, County Court of Warwickshire, at Birmingham.—*William Harding*, Birmingham, railway clerk, Dec. 10 at 2, County Court of Warwickshire, at Birmingham.—*Thomas Showell*, Birmingham, bellows maker, Dec. 10 at 2, County Court of Warwickshire, at Birmingham.—*Edw. Marsh*, Canterbury, Kent, shoemaker, Dec. 6 at 10, County Court of Kent, at Canterbury.—*Edward Williams*, Birmingham, shoemaker, Dec. 10 at 2, County Court of Warwickshire, at Birmingham.—*Henry Corbett*, Birmingham, commission agent, Dec. 10 at 2, County Court of Warwickshire, at Birmingham.—*William Cooper*, Ipswich, Suffolk, fruiterer, Dec. 14 at 10, County Court of Suffolk, at Ipswich.—*Edw. Swift* the elder, Walsall, Staffordshire, warehouse clerk, Dec. 17 at 12, County Court of Staffordshire, at Walsall.—*Edwin Denby*, Leamington-priors, Warwickshire, licensed victualler, Dec. 17 at 12, County Court of Warwickshire, at Warwick.—*Benj. Church*, Bedford, butcher, Dec. 21 at 2, County Court of Bedfordshire, at Bedford.—*Mary Haywood*, widow, Harmston-heath, Lincolnshire, schoolmistress, Dec. 13 at 10, County Court of Lincolnshire, at Lincoln.—*Wm. Moss*, Eccleshall, Staffordshire, small farmer, Dec. 12 at 10, County Court of Staffordshire, at Stone.—*R. W. Cavell*, Deal, Kent, hairdresser, Dec. 7 at 12, County Court of Kent, at Deal.—*Robert Robertson*, Stoddesdon, Shropshire, excise officer, Dec. 12 at 10, County Court of Staffordshire, at Stone.—*Robt. Wigley*, Ilkeston, Derbyshire, bricklayer, Dec. 13 at 10, County Court of Derbyshire, at Belper.—*James Kirkup*, Newcastle-upon-Tyne, grocer, Dec. 19 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Thos. Millership*, West Bromwich, Staffordshire, mine agent, Dec. 15 at 12, County Court of Staffordshire, at Oldbury.—*Joseph Millard*, Trowbridge, Wiltshire, ironmonger, Dec. 14 at 12, County Court of Wiltshire, at Trowbridge.—*John Potts*, Shilvington West House, near Whalton, Northumberland, farm servant, Dec. 19 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 14 *at* 10, *before Mr. Commissioner* LAW.

R. J. Brewin, Wells-street, Nicholl's-square, Aldersgate-street, Middlesex, out of employment.

Dec. 15 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Evans, Great Saffron-hill, Holborn, Middlesex, dealer in coals.—*Richard Beaver*, Talbot-place, Englefield-road, Kingsland-road, Middlesex, keeper of stables.—*Wm. Rigby*, Wandsworth, Surrey, labourer.

Dec. 17 *at* 11, *before Mr. Commissioner* HARRIS.

Thomas Wm. Garnett, Stanhope-street, Hampstead-road, Middlesex, gingerbeer maker.

Dec. 21 *at* 10, *before Mr. Commissioner* HARRIS.

George Jackson, New Church-street, Edgeware-road, Middlesex, confectioner, (of unsound mind).

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 14 *at* 11, *before Mr. Commissioner* HARRIS.

E. A. Payne, spinster, Cadogan-street, Sloane-street, Chelsea, Middlesex, in no trade—*John M. Jones*, Manor-place, Walworth, Surrey, commission agent for the sale of beer.—*H. Jacobs*, Duke-street, Aldgate, London, butcher.—*Luigi Castellani*, Queen-street, Golden-square, Middlesex, out of employ.

Dec. 14 *at* 10, *before Mr. Commissioner* LAW.

M. S. Flatau, Sandys-row, Bishopsgate-street, Middlesex, dealer in watches.

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Dec. 17 *at* 11, *before the* CHIEF COMMISSIONER.

Charles Barnes, Curtain-road, Shoreditch, Middlesex, timber merchant.—*Mark Firrell*, Mermaid-court, High-street, Southwark, Surrey, smith.—*A. C. Dreyer*, Berner-street, Commercial-road East, Middlesex, cooper.—*William Prebble*, Deverell-street, Dover-road, Surrey, publican.

Dec. 17 *at* 11, *before Mr. Commissioner* HARRIS.

Caroline Horseman, Davies-street, Berkeley-square, Middlesex, milliner.—*Eliz. C. Parker*, Great Portland-street, Marylebone, Middlesex, milliner.—*Thomas Selfe*, Wood's-buildings, John-street, East-street, Walworth, Surrey, currier.—*Mark Crowthers*, Carlisle-street, Portman-market, Middlesex, gas fitter.—*H. G. Schmidt*, Davies-street, Berkeley-square, Middlesex, out of employ.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, *Nov.* 14 *at* 10.

E. F. Bedford, Ipswich, livery-stable keeper.—*G. Balls*, Stowmarket, tailor.

At the County Court of Warwickshire, at COVENTRY, *Dec.* 18.

Charles Coleman, Birmingham, warder to the gaol.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—John Henry Johnson, of Glasgow; Thomas Kift, of Dublin; John Cartmale, of Lichfield; Edward Alexander Barret, of Bradford, Yorkshire; Robert Douglas, of Tweedmouth, Berwick-upon-Tweed; Thomas Southall, of Worcester.

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The Jurist

No. 674—Vol. XIII. DECEMBER 8, 1849. Price 1s.

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LONDON, DECEMBER 8, 1849.

Not less by way of illustration of the propriety of what we recommended in a former paper, (13 Jur., part 1, p. 462), viz. the abolishing of all distinctions between matter for amendment and matter for revivor or supplemental statements, and making all requisite alterations in the plaintiff's statement of his case by amendment; than by way of calling the attention of our readers to a question at present of practical interest; we proceed to place before them the state of the authorities upon the question, what is the proper mode of proceeding when one of the defendants to an original bill dies before appearance?

In a case in 6 Jur., part 1, p. 49, (*Clough* v. *Bond*—1842), it was held, by the Vice-Chancellor of England, that when a defendant dies before appearance, and there is no new fact, but the fact of his death, to bring before the Court, the proper course of proceeding is by supplemental bill, to which the other parties to the original bill need not be parties.

In *Crowfoot* v. *Mander* (9 Sim. 346—1840) the same learned judge had previously said, that in such a case a bill ought to be filed against the personal representative of the deceased, which would be an *original* bill as far as respected the defendant, but a supplemental bill with respect to the suit. His Honor did not expressly say whether the original defendants would be necessary parties. The same point was decided in *Hardy* v. *Hull*, (14 Sim. 21), again without its being decided whether the parties to the original bill were necessary parties. It might have been thought that the distinction between the two cases last mentioned, and *Clough* v. *Bond*, was merely verbal, and that the Vice-Chancellor meant, by an *original* bill, an original bill in the nature of a supplemental bill; but, in a more recent case, his Honor, if he has not expressly stated what he meant to decide as to parties in *Crowfoot* v. *Mander* and *Hardy* v. *Hull*, has at any rate now decided the point. In *Foster* v. *Foster* (13 Jur., part 1, p. 399) the same point arose: a defendant died before appearance, and then the plaintiff filed a bill against the personal representative, stating, as substantive statements, all the statements of the original bill, and praying as in the original bill: in effect, therefore, it was an original bill, following *Crowfoot* v. *Mander*, but it did not make the old defendants parties. The Vice-Chancellor held that they were necessary parties. His Honor said, "When Greaves (the new defendant) was made a party by a new bill, it rather seems to me, that, if that bill was to bring forward the administrator of W. P. Foster, (the deceased defendant), it was, in point of fact, as against him, an original bill, and ought to have made the other persons parties. Of course they would not have had to answer over again."

Therefore we have now on this point four cases—one deciding, that a bill, original against the new defendant, but supplemental as to the others, is the proper course, and deciding, as it must, we apprehend, now be construed, that the old defendants are necessary parties; then a case deciding, that a purely supplemental bill is the right course, and that the old defendants need not be parties; then a case deciding consistently with the first; and, lastly, a case not expressly deciding, that the bill *must* be an original bill, but that it *may* be so, and that if it is, the old defendants must be parties.

That the balance of authority is, according to existing practice, in favour of an original bill, and making the old defendants parties, seems clear. But it is equally clear, that the whole ground of difficulty is one created, not natural; that it is purely artificial, and its

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results purely mischievous. It is perfectly clear also, that every object that could be desired would be obtained by a simple amendment of the original bill. All that is required is, in fact, that the representative of the deceased defendant should be brought before the Court; that such matter as was intended to be put in issue between the plaintiff and the deceased, shall be put in issue between him and the representative of the deceased; and that the new matter, viz. the death, and the character of the new defendant, should be put in issue between the plaintiff and the old defendants. To what end are disquisitions, whether such matter is original or supplemental, and as against whom it is original, and against whom supplemental, except to perplex draftsmen, and produce delay and expense? The death is a fact, and the representation is a fact; and it is utterly immaterial whether those facts be correctly described as original, as supplemental, or as anything but facts; and it is utterly immaterial how the defendants are told of them, and required to say whether they are true or not, except that the shortest and least expensive way, which would be by amendment, is the best. Even if an entire remodelling of the system of Chancery pleading were thought too wide an alteration to be attempted, a great boon would be conferred on the Profession and the public by the mere abolition of bills of revivor and supplement, and their compounds, and the substitution of a rule, permitting all matter which it may be requisite or proper for the plaintiff to introduce into his pleading, after the filing of the original bill, to be stated by way of amendment simply.

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The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Frederic William Wilson, Gent., of Sheffield, in the county of York, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the West Riding of the county of York.

Court Papers.

EQUITY CAUSE LISTS, AFTER MICHAELMAS TERM.

*** The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Re-hearing—*S. O.* Stand Over—*Sh.* Short.

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Malcolm *v.* Scott (Ap)
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Fuller *v.* Benett (Ap)
Watson *v.* Masters (Ap)
Dodson *v.* Powell (Ap)
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Cross *v.* Sprigg (Ap)
Sanderson *v.* Cockermouth & Workington Railway Co. (Ap)
Dawson *v.* Brinckman (Ap)
Bagshaw *v.* M'Niel (Ap)
Att.-Gen. *v.* Corporation of London (Ap)
Padbury *v.* Clarke (Ap)
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Coleman *v.* Mellersh (Ap)
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Benyon *v.* Nettlefold (Ap)
Hutchinson *v.* Teyckeuse (Ap)
Short *v.* Mercier (Ap)
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Lassence *v.* Tierney (Ap) *S. O.*
Fowler *v.* Reynal (Ap)
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Yates *v.* Maddan (Ap)
Innes *v.* Sayer (Ap)
Menzies *v.* Connor (Ap)
Same *v.* Same (Ap)
Hickling *v.* Boyer (Ap)
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Pearson *v.* Beck (Ap)
Pearson *v.* Hulme (Ap)
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Single *v.* Terrell *Dec.* 20
Edgson *v.* Edgson (2 causes) *Dec.* 21
Wilkes *v.* Slaney
Crackenthorpe *v.* Touring
Bate *v.* Hooper
Lee *v.* Lee
Lyde *v.* Lipscombe
Barnard *v.* Same
Mocatto *v.* Varicas (F D, C)
Thompson *v.* Empson *Sh*
Barron *v.* Barron
Clark *v.* Bates (F D, C)
Chapman *v.* Salter (E)
Leadbeater *v.* Faulkner
Armstrong *v.* Paterson *Sh*
Sexton *v.* Smith (F D, C)
Davies *v.* Royle
Shackels *v.* Richardson (F D, C)
Davies *v.* Davies

Before Vice-Chancellor WIGRAM.

CAUSES, FURTHER DIRECTIONS, AND EXCEPTIONS.

Griffith *v.* Lunell (4 causes, part heard) *Dec.* 4
Duke of Beaufort *v.* Morris (F D, C) *S O*
Clay *v.* Rufford *Dec.* 4
Mence *v.* Bagster *Hil. Term*
Toulmin *v.* Copland
Johnson *v.* Johnson
Same *v.* Same
Tippins *v.* Coates (E, 2 sets)
Thomas *v.* Thomas
Girdlestone *v.* Creed
Cooper *v.* Everett
Timson *v.* Browne
M'Calmont *v.* Rankin
Same *v.* Turner
Same *v.* Bird
Gould *v.* Gould
De Visme *v.* De Visme (4 causes, F D, C)
Dufaur *v.* Dufaur
Julian *v.* Julian
Binns *v.* Ker
Propert *v.* Rowlands
James *v.* Lewis
Hancock *v.* Beavan
Stoney *v.* Stoney
Newman *v.* Sillett
Winthrop *v.* Murray
Wisden *v.* Wisden
Price *v.* Griffith
Nathan *v.* Pushman
Same *v.* Cohed
Speakman *v.* Speakman (F D, C) *Dec.* 11
Evans *v.* Pritchard *Dec.* 19
Burt *v.* Burnham (4 causes, F D, C)
Gray *v.* Seabrook (F D, C) *Dec.* 3
Snow *v.* Parry *Dec.* 21
Johnson *v.* Johnson
Same *v.* Same
Savery *v.* Savery
Same *v.* Will
Kekewick *v.* Manning

London Gazettes.

TUESDAY, DECEMBER 4.

BANKRUPTS.

JOHN HAWKE, King William-street, London, hatter, dealer and chapman, Dec. 12 at half-past 1, and Jan. 15 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Holmer, 26, Bridge-street, Southwark.—Petition filed Nov. 30.

GEORGE EVANS BAKER, Broadway, Deptford, Kent, grocer, and Union-row, High-street, Camberwell, Surrey, milliner, dealer and chapman, Dec. 14 and Jan. 19 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Tilson & Co., 29, Coleman-street, London.—Petition dated Nov. 29.

JOSHUA EVERT COOPER, West Ham, Sussex, brick-maker and tilemaker, dealer and chapman, Dec. 10 at half-past 12, and Jan. 21 at 11, Court of Bankruptcy, London: Off. Ass. Graham: Sol. Bolden, 44, Craven-st., Strand.—Petition dated Nov. 26.

JAMES BOWLER, The Crescent, Southwark-bridge-road, Southwark, Surrey, hat manufacturer, (trading under the style or firm of John Bowler & Son), Dec. 14 and Jan. 15 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Frankham, 31, Moorgate-st.—Petition dated Nov. 28.

JOHN PEAKE, Cricklade, Wiltshire, draper, dealer and chapman, Dec. 14 and Jan. 15 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Jones, 15, Size-lane, Bucklersbury.—Petition dated Nov. 12.

JOHN ROBINSON, Portwood, within Brinnington, Cheshire, cotton spinner, dealer and chapman, Dec. 17 and Jan. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Makinson, Manchester.—Petition dated Oct. 17.

WILLIAM LYON BICKLEY, Sheffield, Yorkshire, innkeeper, Dec. 15 and Jan. 26 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Bramley & Gainsford, Sheffield.—Petition dated Nov. 22.

WILLIAM STOREY, Leeds, Yorkshire, wool dealer, dealer and chapman, Dec. 17 and Jan. 14 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Cariss & Cudworth, Leeds.—Petition dated Nov. 29.

WILLIAM WEEKES, Inwardleigh, Devonshire, edge-tool maker, farmer, dealer and chapman, Dec. 12 and Jan. 8 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Burd, Okehampton; Terrell, Exeter.—Petition filed Nov. 24.

MEETINGS.

Thomas Waterhouse, Sedgley, Staffordshire, nail factor, Dec. 17 at 11, District Court of Bankruptcy, Birmingham, ch. ass.—*Arthur Charman*, Downside, Cobham, Surrey, farmer, Dec. 19 at 12, Court of Bankruptcy, London, last ex.—*C. S. Smith*, Louth, Lincolnshire, draper, Dec. 18 at 11, Court of Bankruptcy, London, last ex.—*Handy Davis* and *Jesse Davis*, Chalford, Gloucestershire, clothiers, Jan. 9 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Richard Benson*, Liverpool, share broker, Dec. 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*M. Burton* and *B. Shaen*, Manchester, cotton spinners, Dec. 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 31 at 12, div.—*J. Cotterell*, Darlaston, Staffordshire, hinge maker, Dec. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Jos. S. Welch*, St. James's-street, Westminster, Middlesex, printseller, Dec. 21 at 11, Court of Bankruptcy, London, div.—*Wm. Wood*, Gravesend, Kent, carpenter, Dec. 26 at half-past 11, Court of Bankruptcy, London, div.—*Oliver T. J. Stocken*, Walham-green, Middlesex, brewer, Dec. 21 at 11, Court of Bankruptcy, London, div.—*Wm. Cusse*, Christchurch, Southampton, grocer, Dec. 27 at half-past 1, Court of Bankruptcy, London, div.—*Thomas Swift*, Monmouth, and Chepstow, Monmouthshire, and Brookwear, Gloucestershire, and Bristol, timber merchant, Dec. 28 at 11, District Court

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of Bankruptcy, Bristol, div.—*Joshua Lee*, Manchester, paperhanger, Jan. 2 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph Frith Everett, High Holborn, Middlesex, hydraulic engineer, Dec. 26 at 11, Court of Bankruptcy, London.—*James Skinner* the younger, Bristol, linendraper, Dec. 28 at 11, District Court of Bankruptcy, Bristol.—*Wm. Townley*, Bristol, slate merchant, Dec. 28 at 11, District Court of Bankruptcy, Bristol.—*Edward Brien*, Bristol, cabinet maker, Dec. 28 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

George Burr, East Farleigh, Kent, market gardener.—*T. Hanson*, Spotland, Rochdale, Lancashire, cattle dealer.—*Geo. Rait*, Moorgate-st., London, tailor.—*Jas. M'Gill*, Crimscott-street, Widow-walk, Bermondsey, Surrey, victualler.—*Wm. Springbett* and *Thomas Springbett*, Leadenhall-st., London, and Charlotte-row, Walworth-road, Surrey, wine merchants.—*James Matthews*, Gomershall, near Guildford, Surrey, tea dealer.

PARTNERSHIP DISSOLVED.

Robt. Gillam the younger and *Benjamin Thomas*, Birmingham, attornies at law and solicitors in Chancery.

SCOTCH SEQUESTRATIONS.

Peter and *Charles Gray*, Edinburgh, jewellers.—*James Gillespie*, deceased, Port Glasgow, baker.—*J. Murray*, Glasgow, tea merchant.—*J. Meikle*, Lesmahagow, Lanarkshire, carrier.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Marston, Coventry, Warwickshire, watch manufacturer, Dec. 18 at 2, County Court of Warwickshire, at Coventry.—*James Robt. Lucas*, Coventry, Warwickshire, baker, Dec. 18 at 2, County Court of Warwickshire, at Coventry.—*Edw. Sergeant*, Barrow-upon-Humber, Lincolnshire, farmer, Dec. 18 at 11, County Court of Lincolnshire, at Barton-on-Humber.—*Robert Noble*, Bingley, Yorkshire, labourer, Dec. 19 at 11, County Court of Yorkshire, at Keighley.—*Henry Miles*, Coventry, Warwickshire, ribbon weaver, Dec. 18 at 2, County Court of Warwickshire, at Coventry.—*W. Lonsdale*, Heworth-moor, Yorkshire, woodman, Dec. 19 at 10, County Court of Yorkshire, at York.—*Thomas Stephenson*, West Rounton, North Riding of Yorkshire, bricklayer, Dec. 15 at 10, County Court of Yorkshire, at Northallerton.—*James Smith*, Bedworth, Warwickshire, out of business, Dec. 19 at 11, County Court of Warwickshire, at Nuneaton.—*Thomas Bolland*, Walton, Northamptonshire, publican, Dec. 14 at 12, County Court of Northamptonshire, at Peterborough.—*Mary Ann Clarke*, widow, Mendlesham, Suffolk, beer-house keeper, Dec. 17 at 2, County Court of Suffolk, at Eye.—*Abraham Ramsbottom*, Rattlesden, near Bury St. Edmund's, Suffolk, grocer, Dec. 17 at 10, County Court of Suffolk, at Stowmarket.—*Richard Martin*, Bury St. Edmund's, Suffolk, out of business, Dec. 24 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Edward H. Edwards*, Exning, near Newmarket, Suffolk, in no business, Dec. 18 at 10, County Court of Cambridgeshire, at Newmarket.—*John Furman*, Attleborough, near Nuneaton, Warwickshire, undertaker for the manufacturing of ribbon and fringes, Dec. 19 at 11, County Court of Warwickshire, at Nuneaton.—*Wm. Mapp*, Tirrels, Tenbury, Worcestershire, labourer, Dec. 27 at 2, County Court of Worcestershire, at Tenbury.—*John Davy Limmer*, Bury St. Edmund's, Suffolk, baker, Dec. 24 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Samuel Walton*, Stourbridge, Old Swinford, Worcestershire, working glass-maker, Dec. 24 at 10, County Court of Worcestershire, at Stourbridge.—*Wm. Whiffen* the younger, Linton, Cambridgeshire, carpenter, Dec. 15 at 11, County Court of Essex, at Saffron Walden.—*Richard Talbot*, Hallfields, near Bilston, Staffordshire, bricklayer, Dec. 11 at 12, County Court of Staffordshire, at Wolverhampton.—*Henry Creek*, Cambridge, shoemaker, Dec. 18 at 3, County Court of Cambridgeshire, at Cambridge.—*Matthew Moore*, Blacklake, West Bromwich, Staffordshire, retail brewer, Dec. 15 at 1, County Court of Staffordshire, at Oldbury.—*Henry Arton*, Kingston-upon-Hull, out of business, Dec. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Richard Thomas Horsley*, Kingston-upon-Hull, out of business, Dec. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*W. Robinson*, Kingston-upon-Hull, manufacturer of liquid glue, Dec. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Lawrence Jordan*, Liverpool, grocer and provision dealer, Dec. 10 at 10, Liverpool District County Court, at Liverpool.—*Henry Tovey*, Bristol, lamp manufacturer, Jan. 2 at 11, County Court of Gloucestershire, at Bristol.—*Robt. Combe*, Bristol, tile maker, Jan. 9 at 11, County Court of Gloucestershire, at Bristol.—*John Collinson Perkins*, Kingston-upon-Hull, currier, Dec. 22 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Wm. Marsh*, Ashford, Kent, cabinet maker, Dec. 12 at 10, County Court of Kent, at Ashford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 18 *at* 11, *before Mr. Commissioner* HARRIS.

David Clive, Enfield-lock, Enfield, Middlesex, gun-barrel borer.—*Rich. Pratt*, Cheshire-st., Bethnal-green, Middlesex, licensed victualler.—*Henry Harding*, Robert-st., Hampstead-road, Middlesex, coach trimmer.—*Jos. Williams*, Nelson-st., Greenwich, Kent, tobacconist.

Dec. 19 *at* 11, *before the* CHIEF COMMISSIONER.

Charles Waller the younger, Hereford-road North, Westbourne-grove, Bayswater, Middlesex, out of business.—*Thos. Wells Philp*, Smith-st., Northampton-square, Clerkenwell, Middlesex, compositor.

Dec. 20 *at* 11, *before the* CHIEF COMMISSIONER.

Henry Whitaker, Adam's-terrace, Camden-town, Middlesex, designer.

Saturday, Dec. 1.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

W. Kearton, Richmond, Yorkshire, butcher, No. 71,673 C.; George Penson, assignee.—*Thomas Cox*, Birmingham, plated wire manufacturer, No. 33,092 T.; Horatio Southall, new assignee, in place of George Barrs, deceased.—*William Brown*, Rochdale, Lancashire, cheese factor, No. 70,632 C.; John Hannay, assignee.—*Jos. Woolnough Foyster*, Norwich, common carrier, No. 57,049 C.; Robert Peter Bainbridge, new assignee, in place of Joseph Wilkinson, deceased.—*Thos. Bolton Taylor*, Preston, Lancashire, silk mercer, No. 71,844 C.; Samuel Schofield and Walter Caddell, assignees.—*Robert Winn*, Aston, Warwickshire, blank traymaker, No. 71,705 C.; Charles Bridges, assignee.—*Joseph Codgbrook Curtis*, Oxford, carpenter, No. 71,449 C.; Charles Lennox Clarke and John Howard, assignees.—*Geo. Perceval*, Beckbury, Shropshire, attorney's clerk, No. 71,621 C.; William Lane, assignee.—*Samuel Jones*, Liverpool, farmer, No. 71,742 C.; Henry Holden and James Goulburn Etches, assignees.

Saturday, Dec. 1.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Edward Smith, Camden-terrace West, Camden-town, Middlesex, solicitor: in the Queen's Prison.—*Thomas Vallance*, Wilton-st., Vincent-square, Westminster, Middlesex, ironmonger: in the Debtors Prison for London and Middlesex.—*Thos. Philpott*, Elizabeth-terrace, Hackney-road, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Jonathan Frederick Oldfield*, Curzon-street, New North-road, Hoxton, Middlesex, house decorator: in the Debtors Prison for London and Middlesex.—*Fred. Wiseman*, Enfield, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Thomas Tooth Everton*, Chapel-st., Islington, Middlesex, assistant to a toyman: in the Debtors Prison for London and Middlesex.—*Wm. Cook*, Fetter-lane, Holborn, Middlesex, foreman to a licensed victualler: in the Debtors Prison for London and Middlesex.—

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Harris Gomm, Great Carlisle-st., Edgeware-road, Marylebone, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*John Atkinson*, Havel-terrace, Grange-road, Bermondsey, Surrey, commission agent: in the Queen's Prison.—*William Francis Wellbeloved*, Buckingham, out of employment: in the Queen's Prison.

(On Creditor's Petition).

George William Dyson, Langford-place, St. John's-wood, Middlesex, gentleman: in the Queen's Prison.

(On their own Petitions).

Richard Blakeney, Bradford, Yorkshire, clogger: in the Gaol of York.—*George Balls*, Stowmarket, Suffolk, tailor: in the Gaol of Ipswich.—*Thos. Gibbs*, Amberley, Herefordshire, farmer: in the Gaol of Hereford.—*John Ireland*, Queen Charlton, near Bath, Somersetshire, clerk: in the Gaol of Wilton.—*George Lowe*, Sheffield, Yorkshire, printer: in the Gaol of York.—*Thomas Metcalfe*, St. George's-street, Yorkshire, innkeeper: in the Gaol of York.—*John Sutcliffe*, Bradford, Yorkshire, corn dealer: in the Gaol of York.—*William Verity*, Bowling, near Bradford, Yorkshire, shopkeeper: in the Gaol of York.—*Thomas Wilks*, Tadmarton, near Banbury, Oxfordshire, farmer's bailiff: in the Gaol of Oxford.—*William Anderson* the younger, Newcastle-upon-Tyne, coal fitter: in the Gaol of Newcastle-upon-Tyne.—*George Bramham* the younger, Leeds, Yorkshire, farm servant: in the Gaol of York.—*Edward Fisher*, Bristol, assistant to a pickle manufacturer: in the Gaol of Bristol.—*James Millington*, Sheffield, Yorkshire, saw manufacturer: in the Gaol of York.—*William Walker*, Pudsey, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Charles Coleman*, Birmingham, warder to the Gaol of Birmingham: in the Gaol of Coventry.—*John Musgrove* the younger, Oxford, compositor: in the Gaol of Oxford.—*John Baker*, Down Farm, Bratton-Fleming, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*John Britton*, Tockwith, near Wetherby, Yorkshire, labourer: in the Gaol of York.—*W. Chancellor*, Midford, near Bath, Somersetshire, innkeeper: in the Gaol of Wilton.—*James Hoare*, Brislington, Somersetshire, mason: in the Gaol of Wilton.—*John Levitt*, Kingston-upon-Hull, tailor: in the Gaol of Kingston-upon-Hull.—*John Newbold*, Dudley, Worcestershire, auctioneer: in the Gaol of Worcester.—*John Leath*, Hedley, Ovingham, Northumberland, colliery agent: in the Gaol of Newcastle-upon-Tyne.—*Gerrard Burns*, Manchester, provision dealer: in the Gaol of Lancaster.—*Thomas Carpenter*, Liverpool, retail dealer in ale: in the Gaol of Lancaster.—*Thomas Crawshaw*, Lancaster, web manufacturer: in the Gaol of Lancaster.—*Deborah Hornby*, Preston, Lancashire, straw-bonnet manufacturer: in the Gaol of Lancaster.—*William Palethorpe*, Wragby, Lincolnshire, seedsman: in the Gaol of Lincoln.—*William Wilson*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Thomas Griffin*, Manchester, out of business: in the Gaol of Lancaster.—*Peter Gorse*, Toxteth-park, Liverpool, assistant inspector of nuisances: in the Gaol of Lancaster.—*Gilbert Hogg*, Wolverhampton, Staffordshire, chief constable: in the Gaol of Stafford.—*William Humphries*, Redditch, Worcestershire, needle scourer: in the Gaol of Worcester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 18 *at* 10, *before Mr. Commissioner* LAW.

Albine Cook, Burton's-buildings, Friar-street, Southwark, Surrey, clerk at a saw mills.—*Geo. Withers Fletcher*, Lyndhurst, near Southampton, Hants, surveyor to her Majesty's Commissioners of Woods and Forests.

Dec. 18 *at* 11, *before Mr. Commissioner* PHILLIPS.

William Joseph Rumball, Queen's-road, and Lavender-place, Bayswater, and Bishop's-mews, Westbourne-terrace, Paddington, Middlesex, harness maker.

Dec. 21 *at* 10, *before Mr. Commissioner* HARRIS.

George Jackson Ladewig, New Church-street, Edgeware-road, Middlesex, confectioner, (of unsound mind).

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, *Dec.* 19 *at* 10.

William Anderson the younger, Newcastle-upon-Tyne, coke burner.—*John Leath*, Ovingham, colliery agent.

At the County Court of Bedfordshire, at BEDFORD, *Dec.* 21 *at* 2.

Thomas Islip, Bedford, victualler.

At the County Court of Buckinghamshire, at AYLESBURY, *Dec.* 19 *at* 12.

Thomas Langley, Upton-cum-Chalvey, baker.

At the County Court of Gloucestershire, at BRISTOL, *Dec.* 19 *at* 11.

Edward Fisher, Bristol, manufacturer of pickles.

At the County Court of Oxfordshire, at OXFORD, *Dec.* 19.

John Musgrove the younger, Oxford, compositor.

At the County Court of Somersetshire, at TAUNTON, *Dec.* 19.

James Poole, Godney, Meare, farmer.

At the County Court of Yorkshire, at YORK CASTLE, *Dec.* 21 *at* 10.

Richard Bates Smith, York, out of business.—*William Bailey*, Bradford, attorney's clerk.—*William Verity*, Bowling, near Bradford, woolsorter.—*Richard Blakeney*, Bradford, out of business.—*William Walker*, Pudsey, near Leeds, cloth manufacturer.—*Thomas Metcalf*, York, out of business.—*Robert Preston*, Hey Thongs-bridge, near Huddersfield, woollen cloth manufacturer.—*James Millington*, Sheffield, saw manufacturer.—*Sidney Stott*, Mirfield, near Dewsbury, waterman.—*Joshua Webster*, Ossett, near Dewsbury, shoemaker.—*Robert Stokell*, Woodhouse Carr, near Leeds, wheelwright.—*William Shearwood*, Barnsley, stone merchant.—*Geo. Lowe*, Sheffield, printer.—*George Bramham* the younger, Leeds, dealer in flour.—*Hannah Cooper*, Birstal, near Leeds, out of business.—*John Britton*, Tockwith, near Westerby, labourer.

FRIDAY, DECEMBER 7.

BANKRUPTS.

WILLIAM SHEWARD, Norwich, pawnbroker, dealer and chapman, Dec. 19 at 1, and Jan. 18 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Jay & Pilgrim, jun., Norwich; Jay, 27, Bucklersbury, London.—Petition filed Nov. 24.

JOHN WARD, Bishopsgate-street within, London, chemist and druggist, dealer and chapman, Dec. 14 at half-past 12, and Jan. 26 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. W. W. & R. Wren, 32, Fenchurch-street.—Petition dated Dec. 3.

JAMES ADDERSON, West Dereham, Norfolk, butcher, farmer, and cattle dealer, Dec. 18 at half-past 1, and Jan. 17 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Nettlefold, Vine-street, Millbank, Westminster.—Petition dated Dec. 1.

STEPHEN HIPKINS, Sedgeley, Staffordshire, grocer and provision dealer, Dec. 13 and Jan. 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated Nov. 27.

JOSEPH BEAMAN, Anchor Works, Smethwick, Staffordshire, iron and steel manufacturer, Dec. 17 and Jan. 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Tarleton, Birmingham.—Petition dated Dec. 3.

WILLIAM CONGREVE, Spalding, Lincolnshire, corn and flour merchant, Dec. 21 and Jan. 18 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Percival, Spalding; Bartleet, Birmingham.—Petition dated Nov. 26.

RICHARD THOMAS, St. Columb, Cornwall, draper, dealer and chapman, Dec. 19 and Jan. 16 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Elworthy, Plymouth; Stogdon, Exeter; Soles & Turner, Aldermanbury, London.—Petition filed Nov. 27.

SAMUEL SHEPHARD, Cullompton, Devonshire, merchant, dealer and chapman, Dec. 18 and Jan. 15 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Gould, Honiton; Terrell, Exeter.—Petition filed Dec. 5.

SAMUEL COLVILLE, Liverpool, commission and forwarding agent, dealer in canvass, linen sacks, and twine, dealer and chapman, Dec. 27 and Jan. 14 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Neal, and Fletcher & Hull, Liverpool.—Petition dated Dec. 6.

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JOHN SPENCER, Manchester, cotton spinner, dealer and chapman, Dec. 18 and Jan. 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Coppock & Oldham, Stockport.—Petition filed Nov. 27.

GEORGE DAVISON, Alnwick, Northumberland, carpenter, dealer and chapman, Dec. 20 at 11, and Jan. 17 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Busby, Alnwick; Wilson, 11, New-inn, Strand, Middlesex.—Petition filed Dec. 4.

MEETINGS.

Wm. Edwards, Norland-square, Notting-hill, Middlesex, merchant, Dec. 14 at 1, Court of Bankruptcy, London, ch. ass.—*William Eddison*, Rastrick, Halifax, Yorkshire, fancy woollen manufacturer, Dec. 31 at 12, District Court of Bankruptcy, Leeds, ch. ass. and pr. d.—*George Thomas Day*, Commercial-road, Pimlico, Middlesex, civil engineer, Dec. 20 at 1, Court of Bankruptcy, London, last ex.—*Charles Gough*, Altrincham, Cheshire, ironmonger, Dec. 20 at 12, District Court of Bankruptcy, Manchester, last ex.—*William Wood*, Gravesend, Kent, carpenter, Dec. 19 at 12, Court of Bankruptcy, London, aud. ac.—*Richard Harris*, Northampton, carpenter, Dec. 22 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas Richbell*, Walton-cottage, Cold Harbour-lane, Brixton, Surrey, and Woolwich, Kent, rocket manufacturer, Dec. 18 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Edwin Shute*, Bristol, wine merchant, Jan. 4 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Jan. 11 at 11, div.—*James Carter*, Bristol, victualler, Dec. 27 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Edward Brien*, Bristol, cabinet maker, Jan. 1 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Jan. 3 at 11, div.—*John Bower Livesey*, Liverpool, stationer, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jonathan Higginson* and *Richard Deane*, Liverpool, merchants, Dec. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 28 at 11, div.—*Robert Owen*, Manchester, tailor, Dec. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Wilson Smiles*, Blackburn, Lancashire, bookseller, Dec. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 3 at 12, div.—*Seymour Dodd*, Manchester, fustian manufacturer, Dec. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 4 at 12, div.—*Henry Russell*, Tormoham, Devonshire, innkeeper, Dec. 20 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Dec. 28 at 1, div.—*Jos. Shepherd* and *Benj. Shepherd*, Exeter, wine merchants, Dec. 20 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Dec. 28 at 1, div. sep. est. of *Benj. Shepherd*.—*Saml. Pratt*, Coventry, Warwickshire, victualler, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Powell*, Aston, near Birmingham, miller, Jan. 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*John Wells*, Chawson, Salwarpe, Worcestershire, cattle salesman, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Richard Simpson*, Great Bell-alley, London, merchant, Dec. 21 at 11, Court of Bankruptcy, London, fin. div.—*Wm. Edmunds*, Tottenham, and Wenlock-basin, City-road, Middlesex, tailor, Jan. 8 at 1, Court of Bankruptcy, London, div.—*Maria Benedicta Evans* and *Beresford Eyton*, Northumberland-st., Strand, Middlesex, navy agents, Jan. 3 at 2, Court of Bankruptcy, London, div.—*David Lees*, Wednesbury, Staffordshire, coach-step manufacturer, Dec. 22 at 11, District Court of Bankruptcy, Birmingham, aud. ac.; Jan. 5 at 11, div.—*James Batson*, Great Bridge, and *William Batson*, Handsworth, Staffordshire, iron masters, Jan. 5 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Jan. 12 at 10, div., and div. sep. est. of *J. Batson*.—*E. Moody* the younger, Frome Selwood, Somersetshire, ironfounder, Jan. 11 at 11, District Court of Bankruptcy, Bristol, div.—*Benjamin Yeates*, Monmouth, draper, Jan. 3 at 11, District Court of Bankruptcy, Bristol, div.—*John Thompson*, Blackburn, Lancashire, power-loom cloth manufacturer, Dec. 31 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

S. A. Hart, Cullum-street, Fenchurch-street, London, merchant, Dec. 26 at 1, Court of Bankruptcy, London.—*Thomas Goodwin*, Pakenham, Suffolk, brewer, Dec. 29 at 11, Court of Bankruptcy, London.—*Wm. T. Ferris*, Charles-st., Westminster, Middlesex, carpenter, Dec. 29 at 11, Court of Bankruptcy, London.—*F. Macqueen*, Houndsditch, London rectifying distiller, Dec. 31 at 12, Court of Bankruptcy, London.—*Donald Grant*, Luton-place, Greenwich, Kent, manufacturer of the patent ventilating gas light and heating apparatus, Dec. 29 at 11, Court of Bankruptcy, London.—*James Bickerton* the younger, Bread-street, Cheapside, London, hat manufacturer, Jan. 3 at 1, Court of Bankruptcy, London.—*John Robinson*, Honley, Almondbury, Yorkshire, dyer, Dec 31 at 11, District Court of Bankruptcy, Leeds.—*Jonas Jeys* Moreton-in-Marsh, Gloucestershire, boot and shoe maker, Jan. 4 at 12, District Court of Bankruptcy, Bristol.—*S. C. Fripp*, Bristol, boarding-house keeper, Jan. 1 at 11, District Court of Bankruptcy, Bristol.—*John M. Gardener*, Bristol, draper, Jan. 7 at 11, District Court of Bankruptcy, Bristol.—*Henry Brower*, Manchester, fancy box manufacturer, Jan. 7 at 12, District Court of Bankruptcy, Manchester.—*George Newbold*, Longton, Stoke-upon-Trent, Staffordshire, mercer Jan. 2 at 12, District Court of Bankruptcy, Birmingham.—*P. Healey*, Birmingham, factor, Dec. 29 at 1, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas Law, Manchester and Salford, corn dealer.—*John Pulleine* the younger, Selby, Yorkshire, brewer.—*R. Turner*, Sheffield, Yorkshire, leather dealer.—*Michael Cazenas*, Fenchurch-street, London, wine merchant.—*Thomas Mann*, Lloyd's Coffee-house, Royal Exchange, London, underwriter.—*Jonathan Hall*, Rotherhithe, Surrey, shipwright.—*Patrick Cruickshank* and *John Melville*, Austin-friars, London, merchants.—*Francis Kesteven*, Camden-street, Camden-town, Middlesex, builder.

PARTNERSHIP DISSOLVED.

John Weedon and *Wm. Slocombe*, Reading, Berkshire, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Robert Stuart, Coupar-Angus, Perthshire, writer.—*Peter M'Laren*, Glasgow, linen draper.—*James Hamilton*, Glasgow, chemist.—*Alexander Ross*, Balchraggan, Logie-Easter, Ross-shire, builder.—*Free Bible Press Company*, Coldstream, Berwick, printers.—*Lawson & Douglas*, Glasgow, furniture brokers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Anderson, Emsworth, Warblington, Southampton, dealer in watches, Dec. 26 at half-past 11, County Court of Hampshire, at Portsmouth.—*John W. W. Andrews*, Southsea, Portsea, Hampshire, brewer, Dec. 26 at half-past 11, County Court of Hampshire, at Portsmouth.—*W. Loughlan*, Over, Cambridgeshire, hay factor, Dec. 20 at 11, County Court of Huntingdonshire, at Huntingdon.—*Saml. Challen*, Lower Bebbington, Cheshire, grocer, Dec. 21 at 10, County Court of Cheshire, at Birkenhead.—*W. H. Phœnix*, Chester, law stationer, Dec. 20 at 10, County Court of Cheshire, at Chester.—*John A. Cassere*, Wolverhampton, Staffordshire, bedstead manufacturer, Dec. 11 at 12, County Court of Staffordshire, at Wolverhampton.—*John Wade*, Skipton, Yorkshire, stonemason, Dec. 21 at 10, County Court of Yorkshire, at Skipton.—*Eliz. Teadstill*, widow, Bilston, Staffordshire, out of business, Dec. 11 at 12, County Court of Staffordshire, at Wolverhampton.—*E. Nutting*, Margate, Isle of Thanet, Kent, housekeeper, Dec. 17 at 12, County Court of Kent, at Margate.—*Wm. Leeds*, Brabourne Lees, Brabourne, Kent, shoemaker, Dec. 12 at 10, County Court of Kent, at Ashford.—*Wm. Manns*, Winchester, seedsman, Dec. 31 at 10, County Court of Hampshire, at Winchester.—*H. Woodhouse*, Birmingham, tortoiseshell box manufacturer, Dec. 22 at 2, County Court of Warwickshire, at Birmingham.—*John Whitelegg*, Leigh, Lancashire, mechanic, Dec. 22 at 11, County Court of Lancashire, at Leigh.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 19 at 11, before Mr. Commissioner PHILLIPS.

Charles Broadbridge, Mornington-road, Regent's-park, Middlesex, architect.

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Dec. 21 *at* 11, *before Mr. Commissioner* HARRIS.

Charles Wilkerson, Little John-street, Bacchus-walk, Hoxton Old-town, Middlesex, bricklayer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 24 *at* 11, *before the* CHIEF COMMISSIONER.

Thomas Vallance, Wilton-st., Vincent-sq., Westminster, Middlesex, out of business.—*Henry Doncaster*, Tenison-st., York-road, Lambeth, Surrey, no trade.—*Fred. Sivewright*, Aldenham-terrace, St. Pancras, Middlesex, law writer.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Samuel Smith, Shawforth, near Bacup, Lancashire, out of business, No. 71,721; Thos. Barlow, assignee.—*Saml. Gould*, Manchester, out of business, No. 71,706; Charles Hunt, assignee.—*John Dickinson*, Manchester, retail beerseller, No. 71,712; John Kay, assignee. — *George Vernon*, Greenheys, Chorlton-upon-Medlock, Manchester, out of business, No. 71,765; Edward Bramall, assignee.—*Henry Wilkinson*, Habergham Eaves, near Burnley, Lancashire, foreman of a stone quarry, No. 71,758; Henry Hargreaves, assignee.—*Charles Hindle*, Blackburn, Lancashire, furniture broker, No. 69,966; Wm. Jardine, assignee.—*J. Thompson*, Preston, Lancashire, out of business, No. 71,724; J. Teebay, assignee.—*Elizabeth Millitt*, Hulme, Manchester, out of business, No. 71,769; David Hordern, assignee.—*John Sutcliffe*, Rochdale, Lancashire, out of business, No. 71,802; John Atherton, assignee. —*Jos. Ludlam*, Blackpool, Lancashire, lodging-house keeper, No. 71,762; John Cragg, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *Dec.* 21 *at* 11.

Deborah Hornby, Preston, out of business.—*Wm. Humphreys*, Liverpool, coppersmith.—*Saml. Morton*, Manchester, fustian dealer.—*James Liptrot*, Preston, licensed victualler.—*Thomas C. Preston*, Blackpool, lodging-house keeper.—*Wm. Wilson*, Manchester, out of business.—*James Butterworth*, Manchester, commission agent. — *Betty Garforth*, widow, Oldham, out of business.—*Thos. Carpenter*, Liverpool, retail dealer in ale.—*W. Baxter*, Bolton-le-Moors, out of business. —*Thomas Crawshaw*, Lancaster, out of business.—*Joseph G. Ick*, Liverpool, master mariner.—*Samuel Massey*, Preston, ironmoulder.—*Thomas Consterdine*, Manchester, out of business.—*Thomas Griffin*, Manchester, out of business.—*George Stubbs*, Liverpool, tailor.—*Joseph Glover*, Liverpool, out of business.—*James Brown Morgan*, Liverpool, painter.—*Henry Heaton*, Goodshaw Fold, Rawtenstall, near Haslingden, cotton spinner.—*James Coomer*, Manchester, brickmaker.—*Edward Thomas*, Salford, near Manchester, out of business.—*Thomas B. Taylor*, Preston, silk mercer.—*Robt. Frankland*, Preston, out of business.—*Gerrard Burns*, Manchester, provision dealer. —*James Walley*, Blackenhall, in no business.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, *Dec.* 22 *at* 10.

John Levitt, Kingston-upon-Hull, tailor.

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LONDON, DECEMBER 15, 1849.

From Mr. Phillips's letter to Mr. Warren we inferred that the *Examiner* of 1840, and its contemporaries, had supposed Courvoisier's confession to have preceded his counsel's cross-examination of the witnesses. We took it for granted that Mr. Phillips would not be insane enough to rest his defence on an assertion which the mere inspection of the record admitted by himself to be trustworthy must disprove. Regarding his letter as an explanation of an equivocal transaction, we at once gave to it a credit which we should not have accorded, without examination, to a direct impeachment of the veracity of a paper second to none in respectability. We confess that we were also a litle influenced by the array of dignified witnesses cited by Messrs. Warren and Phillips. We have since procured the report in the *Times* of June 22, 1840, and we are bound to say, that every particular of the *Examiner's* charge is strictly proved. The retainer of his brief after receiving his client's confession, was not included in that charge. Mr. Phillips was accused of having appealed to Heaven as to his belief in his client's innocence after receiving the confession of his guilt. We find that he did so twice. He said, "The omniscient God alone knew who did this crime." "And even supposing him guilty of the murder, which, indeed, was known to God alone, and of which, for the sake of his eternal soul, he (Mr. Phillips) hoped he was innocent," &c. To assert that the omniscient Deity alone knows who did the deed, is to call the omnipresent Deity to witness that the speaker does not know. To say that you hope a fact is so, is to affirm your ignorance of its not being so, and something more.

The other accusation, says Mr. Phillips, is that of endeavouring to cast suspicion upon the female servants. The accusation was more extensive. Mr. Phillips defamed other witnesses than the female servants, and without any preliminary disclaimer. The disclaimer itself, when considered in connexion with the rest of the speech, amounted to an imputation. "And here he would beg the jury not to suppose for a moment, in the course of the narrative with which he must trouble them, that he meant to cast the crime upon either of the female servants. It was not at all *necessary to his case* to do so. *It was neither his interest, his duty, nor his policy to do so.* God forbid that any breath of his should send tainted into the world persons depending for their subsistence upon their character." He would abstain from accusing the women. Why? Because he believed them innocent? No. Impute the crime to his client, and God alone knew who committed it; but with respect to the women, though he would not say that he believed them innocent, it was not his policy to accuse them. As they had their bread to earn, he would not say anything against them. But such disclaimers, even when unequivocally expressed, are mere artifices to induce a confidence in the speaker's candour which he intends to abuse. A practised advocate is not so liable to say what he does not mean as to require to make any such precautionary disclaimer. In fact, Mr. Phillips did so far forget "his interest, his duty, and his policy," as unequivocally and deliberately to make the very imputation he had disclaimed, and to misrepresent the evidence for the purpose of making it more effectually. He said, "The prisoner had seen his master retire to his peaceful bed, and was alarmed in the morning by the housemaid, who was up before him, with a cry of robbery, and some dark mysterious suggestion of

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murder. 'Let us go,' said she,' and see where my lord is.' He did confess that that expression struck him as extraordinary. If she had said, 'Let us go and tell my lord that the house is plundered,' that would have been natural; but why should she suspect that anything had happened to his lordship? She saw her fellow-servant safe—no taint of blood about the house; and where did she expect to find her master? Why, in his bed-room to be sure. What was there to lead to suspicion that he was hurt? Courvoisier was safe, the cook was safe, and why should she suspect that her master was not safe too? . . . He (Courvoisier) opened a shutter, and then the female servant saw a speck of blood on the pillow, and ran screaming out of the room." All this was purposeless babble, if it did not mean that the female servant had a guilty knowledge of the murder before she accompanied Courvoisier to their master's room; and to support this imputation, Mr. Phillips misrepresented the evidence. The witness did not say, "Let us see where my lord is;" she did not see a "speck" of blood. Her evidence is thus given in the *Times*:—"I went as far as the passage, and said, 'For God's sake, let us go and inform his lordship.'. . . . . I went about half way to the foot of the bed, and saw blood upon the pillow. Before I noticed the blood, I said, 'My lord! My lord!'" To obtain his client's safety, the police were accused of a conspiracy against his life. "He would have sent the trunk to a place of safety, where no miscreant, speculating on his share of the 450*l.* reward, could have tampered with it, in order to insure the conviction of the unfortunate man at the bar; but it was left in the room, *accessible to the female servants* and to the whole gang of policemen. . . . . He had a right to know who placed those gloves in the prisoner's trunk between the 6th and 14th May. Had there not been practice here? This man it was evidently determined should be made the victim of some foul contrivance. Collier, who, for reasons best known to himself, would not go to the trunk without a witness, and, to make sure of his witness, took a brother policeman," &c. "Some villains must have been at work here to provide proofs of guilt against the prisoner."

We have gone into these details, derived from our own perusal of the *Times'* report, in order to shew that we are not now relying, as we did before, on an ex parte statement. It is impossible to doubt that the *Times'* report, taken in writing on the spot by gentlemen accustomed to the task, and corroborated in every material particular by the independent reports of the other morning papers, is more trustworthy than the mere recollection of any listener; and therefore we attribute no countervailing weight whatever to the testimony of the gentlemen whose letters are appended to Mr. Phillips's pamphlet.

So much in justice to the *Examiner*. We regret that we have been led into the personal part of this discussion; but, having expressed an opinion which was unjust, we are bound to acknowledge our error. A question of general interest remains. Mr. Phillips has published letters from five barristers, who say that they heard the whole of the defence of Courvoisier, and heard nothing objectionable. There is, besides, some mention of the favourable testimony of several respected judges. To this last we do not presume to refer, because we have not the expressions in which it was conveyed. If five "competent witnesses" can be found to declare that they heard the whole of Mr. Phillips's speech, and heard nothing objectionable, we may well pause before we unreservedly rely on the recollection of two witnesses as to the effect of the necessarily guarded expressions which may have fallen from those eminent persons. We give to Mr. Phillips's five vouchers the full benefit of the supposition, that their perceptive faculties, as well as their moral sense, may have been somewhat confused; but though their ears did not tell them that the advocate called Heaven to witness to a lie, or that he distinctly imputed his client's crime to persons whom he knew to be innocent, they must, if they had any use of their faculties, have perceived that he expended the principal part of his labour, not in pointing out the defects in the evidence produced against his client—not in protecting him from being condemned on insufficient evidence, or against the forms of law—but in conscious misrepresentations of the evidence and of the characters and motives of the witnesses, and in vehement adjurations and appeals, which, so far from not involving the expression of personal opinion, had no other purpose or significancy than to intimate that the speaker's belief in his client's innocence was so earnest as to have aroused his sympathies on his behalf. A man may argue for any conclusion without asserting his belief; but when he adds to his argument gesticulations and expressions of emotion, he tells us of a conviction so pervading as to have extended from the region of the intellect to that of the affections. We know no difference between a lie acted and a lie spoken. If those gentlemen think that an advocate's duty exacts such conduct of him, and if, as we fear, their sentiments are shared by a minority of their brethren not absolutely insignificant in numbers, it is time to let them know that the Bar acknowledges no such duty, and that it professes, at least, to be governed by the same rules of morality as other classes of society. That its performance sometimes falls short of its principles, is no more than is to be said of human nature in every walk of life. The limits beyond which counsel may not go, on behalf of a client, have been often stated in this paper. To borrow the expression of a correspondent, "he may utter fallacies, because his business is to present all plausible arguments, and to judge none, but he must present them ingeniously. In civil cases, though he is to misrepresent nothing—to gain nothing by a trick—he is to take care that his client is not defeated, except upon strict legal proofs and legal grounds, whether his cause be morally just or not. Therefore he is not to bring forward or disclose any adverse fact, whether accessible to his adversary or not. . . . . But the community has an interest, paramount to any individual interest, in uniformity of decision. Therefore, though an advocate in a civil cause may suppress facts, he must not suppress law; nay, he must—as has been emphatically declared more than once from the Bench—interfere to save the Court from inadvertently disturbing the law in favour of his client, if he is aware of any principle or authority, overlooked by the Court, which would guide it to a right decision. If this were not so, the assumption by

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a looker-on of the character of amicus curiæ would be an impertinent intrusion. In criminal cases a further public interest is at stake—that crime should not escape unpunished. Here the sole function of the advocate is the guardianship of innocence and of the law. He must take care, above all things, whether he be prosecutor or defender, that the innocent do not suffer. Subject to that care, he must see that the rules of law, as well those devised for the punishment of guilt as those interposed by way of countercheck for the protection of innocence, suffer no impair. To aid in the escape of the guilty is no part of his office: actively to aid in the conviction of the guilty is no part of his office, if he be defender, because the imposition of such a duty would frustrate the ends for which advocacy is instituted. . . . . The advocate of a prisoner must by no means leave unnoticed, much less endeavour to put out of sight, any matter of evidence or law tending to criminate his client." Our correspondent proceeds to infer, that an advocate must not defend a client who has confessed his guilt. This is certainly not the rule of the English Bar. To deprive a prisoner of the assistance of counsel, on the mere report of a confession to his gaoler or to any one in the interest of the Crown or of the prosecutor, would be to expose prisoners to the danger of intimidation and coercion. The propriety of defending a prisoner who has confessed his guilt to his own counsel, and for the purposes of his defence, depends on more technical considerations. A criminal is to be convicted only upon legal evidence, and his moral guilt may be consistent with a legal defence, to the benefit of which the law gives him a title. This, we fear, is a necessary though undoubtedly a large concession to guilt. In a case where some of the witnesses have been implicated with the prisoner in misconduct, though not in the actual crime of which he stands accused, it is obvious, that counsel intrusted with such a confession cannot conduct the defence without danger of frustrating the ends of justice. Lord Langdale's exposition (in the case of *Hutchinson* v. *Stephens*, 1 Kee. 68) of the duties of counsel has been partially cited by the *Examiner*. It is as follows:—"With respect to the task which I may be considered to have imposed upon counsel, I wish to observe, that it arises from the confidence which long experience induces me to repose in them, and from a sense which I entertain of the truly honourable and important services which they constantly perform, as ministers of justice acting in aid of the judge before whom they practise. No counsel supposes himself to be the mere advocate or agent of his client to gain a victory, if he can, on a particular occasion. The zeal and the arguments of every counsel, knowing what is due to himself and his honourable Profession, are qualified, not only by considerations affecting his own character as a man of honour, but also by considerations affecting the general interests of justice." That the confidence mentioned by Lord Langdale is sometimes abused is, as we have said, a consequence of human frailty. The remedy is to be sought, we believe, principally, in the abolition of trial by jury in non-political cases, and in the exercise by the Bench of a more strict censorship over the Bar. In the old trial by battle, (of which the trial by counsel is the modern representative), if either of the champions was detected in foul play, he was liable to severe punishment, and incapacitated from being again employed. A few modern examples of similar discipline would effectually disabuse Mr. Phillips and his friends of their peculiar notions as to the license of counsel.

Correspondence.

TO THE EDITOR OF "THE JURIST."

GRAY'S-INN, *Nov.* 19, 1849.

Sir,—As a Bencher of Gray's-inn, I cannot but express my regret at seeing a statement in the daily papers, alleged to have been made by Mr. James Stewart, at a general meeting of the Society for the Amendment of the Law, that a general failure had taken place of the lectures at the Inns of Court for the information of students in the study and practice of the law.

I beg to observe, that, as regards the lectures delivered at Gray's-inn, upon the law of real property, I, on Monday last and on this evening, attended the lectures in Gray's-inn Hall, and I counted the students attending on each day. On Monday last forty students attended, and on this evening thirty-nine, and I think more; and I find that sixty-five have entered their names to attend the present course of lectures.

It appears to me to be due to our lecturer and the society of which I have the honour to be a member, that the truth should be known with respect to the lectures delivered in Gray's-inn Hall; for I have the greatest satisfaction in saying, that the lectures have been hitherto, not only highly satisfactory to the Benchers who have been present at their delivery, but that they have been attended to by the students with much interest, and, apparently, with great utility to them in assisting them in their legal studies.

I must also beg leave to state, that our lecturer has given every possible assistance to the students, not only in public, by lectures, and mootings, and examinations, but also in his chambers, at private lectures; so that if students were desirous of obtaining legal information, they have had the means of doing so; and I feel a pleasure in saying, that they have very much availed themselves of the opportunities afforded to them.

I am, Sir,
Your obedient servant,
FRS. WHITMARSH.

[By some accident the above communication reached us only a few days ago. We are well aware of the great success which has rewarded Mr. Lewis's learning and zeal. Whether Mr. Stewart's statement is more just with respect to the other Inns of Court, we do not know; but if their lectures have been successful, the fame of them has not reached us.—ED.]

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—John Dobree Norwood, of Ashford, Kent; Edward Norwood, of Charing, Kent; John Butler Fellowes, of Calne, Wiltshire.

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THE ATTENDANT TERMS ACT.

A correspondent, after some observations on the case of *Doe* d. *Clay* v. *Jones*, (13 Jur., part 1, p. 824), which we think has been sufficiently discussed, thus enlarges upon a question suggested ante, p. 384:—

"But, whatever might be the right decision in this particular case, I wish to point out a serious omission in the act, which may irretrievably damage many titles, which, before the passing of the act, were perfectly good and marketable. Let me suppose a not improbable case:—An estate is purchased, which is subject to an old mortgage for a term. The purchaser has to borrow part of his purchase-money, and in order to secure it a new mortgage is effected, and the old mortgage is transferred to the new mortgagee or to a trustee for him, the deed of assignment containing a declaration, that, subject to the mortgage, the term shall attend the inheritance for the purchaser. Upon this transaction, it is clear that the term would, before the act, protect the purchaser from all mesne incumbrances. Now, suppose, after the act has come into operation, the purchaser pays off the mortgage, what is his situation? It is clear, that, as the term was not satisfied on the 31st December, 1845, it is not included in the 1st section of the act. It may, perhaps, be contended, that as the term did not '*after that day become*' attendant on the inheritance, since it was made so attendant before, it is out of the operation of the act altogether; but I think the better opinion to be, that it is within the 2nd section, notwithstanding the words I have quoted; that the term has consequently ceased; that as it was not satisfied on the 31st December, 1845, it does not come within the protection afforded by the latter part of the 1st section, which only relates to the terms which were within the first part of that section; and that the mesne incumbrances, against which the term protected the purchaser before the act, are now let in. "K. W. R."

Our correspondent assumes, that a mortgage term cannot be satisfied while it is held by or in trust for the creditor, and the debt subsists. But this, as we have already hinted, does not seem to us to be quite clear. The argument for considering the term as unsatisfied is single and obvious: the object of the term was to secure the debt, and the debt subsists. But a security for a debt may be satisfied without satisfaction of the debt. The satisfaction of a term is a purely equitable notion, and must depend upon the equitable incidents of the security. The object of a mortgage term is, in equity, to secure a debt, by enabling the mortgagee to take the rents and profits, and, if need be, to foreclose, or, when there is a power of sale, to sell. These remedies the mortgagee may, by virtue of the term, enforce against the reversioner. But when the mortgagee obtains dominion over the reversion in fee, the term is no longer capable of operating as a security against the mortgagor, and it is no longer by virtue of the term that the mortgagee is enabled to recover the rents, to foreclose, or to sell. As against a mesne legal incumbrance, the term may, it is true, be available; but that is an accident which cannot alter the effect of the transaction between the mortgagor and the mortgagee. The term protects against mesne incumbrances, not as a mortgage term, but as an attendant term. Subject to the accident of its protecting against mesne incumbrances, the term, as a security, is at an end: its object was to secure the debt; but the debt is now secured by the fee, and not by the term, which merely subsists as a legal bulwark to the fee. If a mortgage is a conditional purchase, a mortgagee of all equity of redemption in fee, who takes a transfer of a prior term of years, deals with it in the same way as an absolute purchaser would do; he discharges the fee which is in him from the prior incumbrance, but keeps the legal estate outstanding. It can make no difference that he does this subject to redemption by the mortgagor, or that the mortgagor remains legally liable to pay the debt. The transaction, so far as concerns the title to the land, and the securities on it, would be the same if the mortgages, instead of being securities for debts, had been mere charges, not involving any personal liability. The question is certainly difficult, and its solution is important with reference to transactions entirely subsequent to the passing of the Satisfied Terms Act, as well as to those in the position suggested by our correspondent; for if, when a mortgagee for years takes a further security on the reversion in fee, the term is satisfied, it then becomes attendant on the inheritance, and is extinguished by the act, letting in any mesne incumbrances on the legal estate.

If, however, our correspondent is right in assuming that, in his case, the term was not satisfied before the passing of the act, the case clearly falls within the 2nd section of the act. For if, when a term is transferred to or in trust for a mortgagee in fee, it is not satisfied, a declaration that the term, *subject to the mortgage*, shall attend the inheritance, does not make it an attendant term, in the sense in which that expression is used in the act, so long as the mortgage subsists. The effect of the declaration is, that when the mortgage is satisfied the term shall attend the inheritance, and it is not until the mortgage is satisfied that the term *becomes* attendant. It is to the point of time when the term actually becomes attendant, and not to the date of any anticipatory declaration, that the act refers. A term cannot properly be said to be attendant on the reversion while it subsists for independent purposes. If an unsatisfied term could be made attendant by express declaration, then, without such declaration, it would be attendant by implication of law; for the declaration that, subject to the security, it shall attend, expresses no more than the law implies. In that sense, therefore, every term created for a special object is attendant from the time of its creation; but terms created before the act passed, and becoming attendant after its passing, are expressly mentioned in the 2nd section, which conclusively shews that that is not the meaning of the word in the act.

If the case comes within the 2nd section, the act may operate harshly. The owner of an estate makes a mortgage to A. for years, then mortgages to B. for years or in fee, then sells to C. without notice of B.'s security, and C. procures D. to advance the purchase-money on a mortgage of the fee, A. being paid off, and assigning his term to a trustee for D., and, subject to the mortgage, to attend the inheritance. If by this transaction the term was satisfied, the case is within the 1st section, and there is no hardship. If the term was not satisfied, the ultimate declaration of trust would seem to bring the case within the principle of *Saunders* v. *Dehew*, (2 Vern. 271), so as to disentitle B. to maintain a redemption suit against D., and even to place him in the situation of an ordinary transferree, if he should pay off D., and obtain an assignment of the term; for, though the mortgagee might transfer the term to any one who would pay him, the transfer would be taken with notice of, and subject to, the express trust by which the benefit of the term was appropriated to C. If the 2nd section of the act applies to this case, it undoubtedly operates with hardship upon C.; but we do not know that C. is more entitled to complain than B. would have been, if the old law had remained unaltered.

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London Gazettes.

TUESDAY, December 11.

BANKRUPTS.

THOMAS GREENHOW and CEPHAS FOSTER, Old-street, St. Luke's, and St. John-st., Clerkenwell, Middlesex, rectifiers and distillers, dealers and chapmen, (trading under the firm of T. Greenhow & Co.), Jan. 1 and 29 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrence & Plews, 14, Old Jewry-chambers.—Petition filed Dec. 10.

WILLIAM ALEXANDER REEVES, Maidstone, Kent, cabinet maker and upholsterer, Dec. 17 at half-past 1, and Jan. 28 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Case, Maidstone; Braikenridge, 16, Bartlett's-buildings, Holborn.—Petition dated Dec. 5.

THOMAS ELLEN, late of Victoria-street, Holborn-bridge, and now of Great Russell-st., Bloomsbury, Middlesex, coal merchant, Dec. 20 at 2, and Jan. 22 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Long, 17, Lawrence-lane, Cheapside.—Petition dated Dec. 6.

EDWIN LOVELESS, Portsea, Southampton, grocer, Dec. 20 at 1, and Jan. 15 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Stening, Portsea; W. & E. Dyne, 61, Lincoln's-inn-fields.—Petition filed Nov. 7.

CHARLES DUGARD MAKEPEACE and ROBERT STRONG, Birmingham, screw manufacturers, Dec. 19 and Jan. 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. James, Birmingham; Collis, Stourbridge.—Petition dated Dec. 7.

HENRY THOMAS WATSON, Liverpool, draper, dealer and chapman, Dec. 27 and Jan. 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Dodge, Liverpool.—Petition dated Dec. 3.

WILLIAM LAKIN BOWYER, Macclesfield, Cheshire, grocer and tea dealer, dealer and chapman, Dec. 31 and Jan. 21 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Blain, Manchester; Norris, Macclesfield.—Petition filed Dec. 3.

THOMAS KELL IRWIN, Hexham, Northumberland, draper, dealer and chapman, Dec. 20 and Jan. 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Sale & Co., Manchester; Griffith & Crighton, Newcastle-upon-Tyne; Reed & Co., 59, Friday-stree, Cheapside, London.—Petition filed Nov. 16.

Meetings.

William Woods, Mount-pl., Walworth-road, Surrey, ironmonger, Dec. 24 at 1, Court of Bankruptcy, London, pr. d.—*Henry Greenhill*, Philpot-lane, London, and Gravesend, Kent, tea dealer, Dec. 21 at 12, Court of Bankruptcy, London, ch. ass.—*Thomas Wilson* and *Henry Corbett*, Madras, East Indies, and Manchester and Preston, Lancashire, England, merchants, Dec. 20 at 11, District Court of Bankruptcy, Manchester, last ex.—*Samuel Leggatt*, Norwich, innkeeper, Dec. 22 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Bernard Angle*, Moorfields, London, licensed victualler, Dec. 22 at 11, Court of Bankruptcy, London, aud. ac.—*Charles Penn*, Liverpool, victualler, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John James Brez*, Chester, tailor, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Jonathan Higginson* and *Richard Deane*, Liverpool, merchants, Dec. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Aspinall*, Liverpool, stock and share broker, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Harris*, Liverpool, auctioneer, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*J. Cunard* and *J. Ingram*, London, commission merchants, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, aud ac.—*Patrick Hare*, Liverpool, tallow-chandler, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Law*, Birkenhead, Cheshire, bookseller, Dec. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Charles Tabor* and *Wm. Clarke*, Nottingham, lace manufacturers, Dec. 21 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*William Turnpenny*, Birmingham, jeweller, Dec. 22 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Burton*, Market Harborough, Leicestershire, woolstapler, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Edw. Gray*, Harborne, Staffordshire, nail manufacturer, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Massey*, Burslem, Staffordshire, grocer, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Frederick Brown*, Tunstall, Staffordshire, tanner, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Dixon*, Little Dawley, Shropshire, grocer, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Hunt* the younger, Moat Ironworks, Tipton, Staffordshire, ironmaster, Dec. 22 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Frederick John Ablett*, Merthyr Tydvil, Glamorganshire, draper, Jan. 5 at 11, Court of Bankruptcy, London, div.—*Jacob Jacobs*, Canterbury, Kent, auctioneer, Jan. 8 at 12, Court of Bankruptcy, London, div.—*Wm. Plumley*, Bristol, poulterer, Jan. 1 at 11, District Court of Bankruptcy, Bristol, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James William English, Poultry, London, chemist, Jan. 4 at 11, Court of Bankruptcy, London.—*John Sowden* the younger, Ingold-mells, Lincolnshire, farmer, Jan. 2 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*James Saner*, Kingston-upon-Hull, tailor, Jan. 2 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*William Rowett*, Liverpool, ship chandler, Jan. 10 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Haskayne*, Liverpool, merchant, Jan. 8 at 11, District Court of Bankruptcy, Liverpool.—*Richard Jelley*, Leicester, cabinet maker, Jan. 4 at 11, District Court of Bankruptcy, Nottingham.—*Jos. Freeston Heathcoat*, Leicester, chemist, Jan. 4 at 11, District Court of Bankruptcy, Nottingham.—*Thomas Wood*, Leicester, timber merchant, Jan. 4 at 11, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Alexander Webb, Wakefield, Yorkshire, seed merchant.—*Wm. Garrod*, Hackney, Middlesex, draper.—*Joseph Cary*, Shepton Mallet, Somersetshire, printer.—*Wm. Jas. Bebell*, Gloucester, ship builder.—*John Lloyd* and *George Lloyd*, Brinnington, Cheshire, builders.—*Wm. Pitfield*, Tottington Lower End, Lancashire, bleacher.—*Geo. Brier*, Kirkheaton, Yorkshire, stonemason.

Scotch Sequestrations.

Hugh Campbell, Cumnock, Ayrshire, wine merchant.—*Robert Paton*, deceased, Paisley, wright.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel James, Builth, Llanfair in Builth, Brecknockshire, cordwainer, Dec. 20 at 10, County Court of Brecknockshire, at Builth.—*William Carter*, Alton, Hampshire, plumber, Dec. 21 at 11, County Court of Hampshire, at Alton.—*Phœbe Taylor*, Darlaston, Staffordshire, provision dealer, Dec. 17 at 12, County Court of Staffordshire, at Walsall.—*Benjamin Chatfield*, Petersfield, Southampton, baker, Dec. 20 at half-past 11, County Court of Hampshire, at Petersfield.—*James Wilson*, Cannon-street, London, out of business, Dec. 21 at 11, County Court of Hampshire, at Alton.—*Theophilus Knowles Ridley*, Pencombe, Herefordshire, farmer, Dec. 28 at 10, County Court of Herefordshire, at Bromyard.—*John Hart*, Stoke-upon-Trent, Staffordshire, grocer, Dec. 21 at 10, County Court of Staffordshire, at Hanley.—*Nathaniel Gordon*, Great Marlow, Buckinghamshire, veterinary surgeon, Dec. 17 at 2, County Court of Buckinghamshire, at High Wycombe.—*John Wesley Timmis*, Tunstall, Staffordshire, watchmaker, Dec. 21 at 10, County Court of Staffordshire, at Hanley.—*William Winter Wood*, Bishop's Stortford, Hertfordshire, cordwainer, Dec. 28 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Samuel Newman*, Wednesbury, Staffordshire, master miner, Dec. 15 at 1, County Court of Staffordshire, at Oldbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 19 *at* 11, *before the* Chief Commissioner.

Samuel Howard, Queen's-road West, Chelsea, Middlesex, out of business.

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Dec. 26 *at* 11, *before the* CHIEF COMMISSIONER.

James Theodore Turner the younger, Strahn-place, Ball's-pond, Islington, Middlesex, traveller.—*Valentine Elkins*, Newstreet, Covent-garden, Middlesex, assistant to a printseller.—*William Geo. Hayward*, Alfred-place, Newington-causeway, Surrey, corn dealer.—*Richard Cannadine*, Great Smith-street, Westminster, Middlesex, planemaker.

Saturday, Dec. 8.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Rigbye Baldwin Rigbye, Sutton, Surrey, not in any trade, No. 54,869 T.; Thomas Hamer Rigbye, assignee.—*William Norman*, Whittington-place, Upper Holloway, Middlesex, baker, No. 61,047 T.; William Henry Wells, assignee.—*Christopher Hill Featherstonhaugh*, Sunderland, Durham, brewer, No. 70,277 C.; Joseph Foster, assignee.—*Randle Bower*, Longdendale, Cheshire, cattle dealer, No. 71,113 C.; Nicholas Earle, assignee.—*Lawrence Murphy*, Everton, Liverpool, bookkeeper, No. 71,335 C.; William Cowan, assignee.—*John Roberts*, King's Lynn, Norfolk, saddler, No. 71,577 C.; John Gower Saunders, assignee.—*Charles Wainwright*, Manchester, dyer, No. 71,255 C.; John Darlington, assignee.

Saturday, Dec. 8.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard Philip Fletcher, Garway-road, Westbourne-grove, Bayswater, Middlesex, ensign in the 1st West India Regiment of Foot: in the Debtors Prison for London and Middlesex.—*Jonathan Thompson*, Kensington-park-road, Notting-hill, Middlesex, house decorator: in the Debtors Prison for London and Middlesex.—*Richard Richards*, Dovey-cottages, Southgate-road, De Beauvoir-town, Middlesex, builder: in the Queen's Prison.—*John Chas. Kernot*, Palace New-road, Lambeth, Surrey, mariner: in the Gaol of Horsemonger-lane.—*William Chequer*, Blackfriars-road, Surrey, harness maker: in the Gaol of Horsemonger-lane.—*James Thos. Atkins* the younger, Devirll-street, Dover-road, Surrey, victualler: in the Debtors Prison for London and Middlesex.—*R. Hutchinson*, Tollington, Hornsey-road, Middlesex, auctioneer: in the Queen's Prison.—*James Churchill*, Suffolk-place, Hackney-road, Middlesex, fancy cabinet manufacturer: in the Debtors Prison for London and Middlesex.—*William John B. Collins*, West Smithfield, London, baker: in the Debtors Prison for London and Middlesex.—*James Ellis*, Foster-lane, Cheapside, London, baker: in the Debtors Prison for London and Middlesex.—*Henry Eley*, Upper Mansfield-place, Kentish-town, Middlesex, travelling chemist: in the Debtors Prison for London and Middlesex.—*John A. G. Smith*, Bouverie-street, Fleet-street, London, auctioneer: in the Queen's Prison.—*William Baxter*, Bolton-le-Moors, Lancashire, cotton-waste spinner: in the Gaol of Lancaster.—*Robert Frankland*, Preston, Lancashire, butcher: in the Gaol of Lancaster.—*E. Ferns*, Manchester, beerseller: in the Gaol of Lancaster.—*Joseph Glover*, Liverpool, silk dyer: in the Gaol of Lancaster.—*E. Garforth*, widow, Oldham, Lancashire, out of business: in the Gaol of Lancaster.—*Cyril Hitchen*, West Ilsley, near Newbury, Berkshire, in no business: in the Gaol of Reading.—*E. Lloyd*, Everton, near Liverpool, dispenser at the Liverpool workhouse: in the Gaol of Lancaster.—*Tobias Martin*, Mylor, Cornwall, flour factor: in the Gaol of Bodmin.—*Geo. Stubbs*, Liverpool, tailor: in the Gaol of Lancaster.—*James Walley*, Blackenhall, Cheshire, farmer: in the Gaol of Lancaster.—*Thomas Consterdine*, Manchester, brewer: in the Gaol of Lancaster.—*Joseph George Ick*, Liverpool, master mariner: in the Gaol of Lancaster.—*Samuel Massey*, Preston, Lancashire, iron moulder: in the Gaol of Lancaster.—*W. Baylie* the younger, Sunderland-near-the-Sea, Durham, brewer: in the Gaol of Durham.—*John Eastwood*, Shelmanthorpe, near Huddersfield, Yorkshire, innkeeper: in the Gaol of York.—*Lawrence Opperman*, Bristol, licensed pawnbroker: in the Gaol of Bristol.—*Clayton Croft*, Kingston-upon-Hull, tailor: in the Gaol of Kingston-upon-Hull.—*Thomas Gorst*, Manchester, provision-shop keeper: in the Gaol of Lancaster.—*Joseph Marsden*, Manchester, beerseller: in the Gaol of Lancaster.—*John Pullen*, Upton, Hawkesbury, Gloucestershire, licensed victualler: in the Gaol of Gloucester.—*R. H. Goodridge*, Plymouth, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*Anthony Goodridge*, Plymouth, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*Thomas Norman*, Ashton-in-Mackerfield, near St. Helen's, Lancashire, blacksmith: in the Gaol of Lancaster.—*Wm. Smailes*, Leeds, Yorkshire, rent agent: in the Gaol of York.—*Chas. F. Turner*, Devonport, Devonshire, paymaster and purser in her Majesty's Navy: in the Gaol of St. Thomas the Apostle.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 26 *at* 11, *before the* CHIEF COMMISSIONER.

Thomas T. Everton, Chapel-street, Islington, Middlesex, assistant to a toyman.

FRIDAY, DECEMBER 14.

BANKRUPTS.

THOMAS KEASLEY and JOSEPH LEONARD KEASLEY, Church-st., Blackfriars-road, Surrey, and Walsall, Staffordshire, tanners and leather merchants, (in copartnership under the firm of Keasley & Co.), Dec. 26 at 1, and Jan. 22 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Wright & Bonner, London-st., Fenchurch-street, London.—Petition filed Dec. 13.

JOSEPH SHELFORD, Standon, Hertfordshire, butcher, Dec. 21 at half-past 1, and Jan. 22 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. G. & C. Smith, 5, Southampton-buildings.—Petition filed Nov. 30.

THOMAS ROWAN, Cambridge, draper and tea dealer, Dec. 24 at half-past 1, and Jan. 29 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Catlin, 39, Ely-place, Holborn.—Petition dated Dec. 13.

ROBERT HAMSHAR, Lofts-mill, Lofts, Essex, miller, Jan. 1 at 1, and Feb. 5 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Isaacson & Co., Newmarket; Isaacson & Alderson, 40, Norfolk-st., Strand.—Petition filed Nov. 20.

EDWARD WILLIAMS and JOHN WILLIAMS, Dudley, Worcestershire, millers, dealers and chapmen, (trading under the style or firm of Williams & Sons), Dec. 31 and Jan. 28 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Morgan, Birmingham.—Petition dated Dec. 1.

WILLIAM RANDALL, Bath, Somersetshire, ladies' and gentlemen's boot and shoe maker, dealer and chapman, Dec. 28 and Jan. 25 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Hellings, Bath.—Petition filed Dec. 10.

THOMAS HART, Cullompton, Devonshire, baker and auctioneer, dealer and chapman, Dec. 18 and Jan. 15 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtel; Sol. Terrell, Exeter.—Petition filed Dec. 13.

WILLIAM PULESTON, Wrexham, Denbighshire, draper, Dec. 27 and Feb. 1 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool; Buckton, Wrexham.—Petition dated Dec. 13.

JOSEPH GREY, South Preston, Northumberland, market gardener, banker, dealer and chapman, Dec. 20 at 11, and Jan. 22 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Laws & Glynn, Newcastle-upon-Tyne; Ledbitter, 7, Staple-inn, London.—Petition filed Dec. 11.

MEETINGS.

Wm. Bird, Great Yarmouth, Norfolk, hotel keeper, Jan. 4 at 1, Court of Bankruptcy, London, last ex.—*Elizabeth H. Ryder*, Birmingham, jeweller, Jan. 9 at 12, District Court of Bankruptcy, Birmingham, pr. d.—*James Kitchner*, Gravel-lane, Southwark, Surrey, scavenger, Jan. 8 at 11, Court of Bankruptcy, London, and. ac.—*Robert Webb*, Great Russell-street, Covent-garden, Middlesex, dealer in ham, Jan. 3 at 12, Court of Bankruptcy, London, and. ac.—*Jane Bolton*, Pall-mall, Westminster, Middlesex, tailor, Jan. 5 at 12, Court of Bankruptcy, London, and. ac.—*Isaac Terry*, Haymarket, Middlesex, watch manufacturer, Jan. 5 at 12, Court of Bankruptcy, London, and. ac.—*Andrew Duncan*, Wilson-street, Finsbury, Middlesex, manufacturer of preserved provisions, Jan. 5 at 11, Court of Bankruptcy, London, and. ac.—*John C. Rushbrook*, Exmouth-st., Clerkenwell, Middlesex, tailor, Jan. 5 at half-past 11, Court of Bankruptcy, London, and.

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ac.—*Wm. Chappelow* the younger, Jermyn-st., St. James's, Middlesex, wholesale saddler, Jan. 5 at 11, Court of Bankruptcy, London, aud. ac.—*Gabriel Benda*, Camomile-street, London, importer of foreign goods, Jan. 5 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Bullmore*, Clerkenwell-close, and Bedford-street, Covent-garden, Middlesex, gold and silver wire drawer and thread manufacturer, Jan. 5 at 11, Court of Bankruptcy, London, aud. ac.—*John Noble*, Liverpool, flour dealer, Dec. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Brown* and *Alexander Urquhart*, Manchester, carpet warehousemen, Jan. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 4 at 12, fin. div.—*Benjamin Lowe*, Hill Top, West Bromwich, Staffordshire, miner, Dec. 29 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*George Maddock*, Burslem, Staffordshire, grocer, Dec. 29 at 1, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Cattel Wilcox*, Birmingham, linendraper, Dec. 29 at 1, District Court of Bankruptcy, Birmingham, aud. ac.—*Walter Palmer*, Rugeley, and Etching Hill, near Rugeley, Staffordshire, corn merchant, Dec. 29 at 1, District Court of Bankruptcy, Birmingham, aud. ac.—*Sarah Ross* and *Timothy Ross*, Leicester, hosiers, Jan. 11 at 11, District Court of Bankruptcy, Nottingham, aud. ac.—*Thomas Shaw*, Wolverhampton, Staffordshire, victualler, Jan. 7 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Philip Watkins*, Wacton, Herefordshire, tavern-keeper, Jan. 7 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*George Taylor*, Leicester, hosier, Dec. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Richard Whiston*, Clun, Shropshire, shoemaker, Dec. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*George Richardson*, Derby, wharfinger, Dec. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Richard Ray*, Longton, Stoke-upon-Trent, Staffordshire, china and earthenware manufacturer, Dec. 27 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Cotton Butterfield*, Petersfield, Southampton, banker, Dec. 20 at half-past 2, Court of Bankruptcy, London, div.—*William Hardwick*, Great Russell-street, Bloomsbury, Middlesex, laceman, Jan. 18 at 11, Court of Bankruptcy, London, fin. div.—*Thomas Turner*, Northampton, boot and shoe manufacturer, Jan. 18 at 11, Court of Bankruptcy, London, div.—*Hen. Carey Brown*, Winchester, Southampton, builder, Jan. 18 at 11, Court of Bankruptcy, London, div.—*George Hawkins*, Bristol, victualler, Jan. 18 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Robert Owen*, Manchester, tailor, Jan. 8 at 12, District Court of Bankruptcy, Manchester, div.—*John Green* and *George Eley*, Birmingham, and Thavies-inn, Holborn, London, wholesale jewellers, Jan. 8 at 12, District Court of Bankruptcy, Birmingham, fin. div. sep. est. of *John Green*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Jane Bolton, Pall-mall, Westminster, Middlesex, tailor, Jan. 4 at 12, Court of Bankruptcy, London.—*John Roberts*, Kidderminster, Worcestershire, clothier, Jan. 11 at 12, Court of Bankruptcy, London.—*J. Colson*, Milton, near Gravesend, Kent, out of business, Jan. 4 at 11, Court of Bankruptcy, London.—*Richard Bradshaw Burton* and *George Bulpin*, Dublin, drapers, Jan. 11 at 1, Court of Bankruptcy, London.—*William Ponting*, Calne, Wiltshire, nurseryman, Jan. 16 at 12, District Court of Bankruptcy, Bristol.—*James Carter*, Bristol, victualler, Jan. 10 at 11, District Court of Bankruptcy, Bristol.—*George Bodington*, Birmingham, chemist, Jan. 9 at 12, District Court of Bankruptcy, Birmingham.—*Elizabeth Harris Ryder*, Birmingham, jeweller, Jan. 9 at 12, District Court of Bankruptcy, Birmingham.—*Edwin Ryder*, Birmingham, jeweller, Jan. 7 at 11, District Court of Bankruptcy, Birmingham.—*Gomer Roberts*, Tanyclaudd, Denbighshire, ironmaster, Jan. 7 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Nathaniel Cobb, Colchester, Essex, upholsterer.—*Alfred Viner*, Bristol, hop merchant.—*Thos. Hollyman*, Clevedon, Somersetshire, butcher.—*William Newton*, Bath, builder.—*Adam Brown*, Mount-st., Whitechapel, Middlesex, draper.—*James Upton*, High-st., Wandsworth, Surrey, corn dealer.—*Peter Walker*, Gee Cross, Stockport, Cheshire, cotton-waste dealer.—*Mary Bell Shoolbred*, widow, Manchester, cotton manufacturer.—*Jos. Morris*, Tettenhall, Staffordshire, butcher.—*George Webb*, Tamworth, Staffordshire, wine merchant.—*Wm. Shaw*, Leeds, Yorkshire, ironfounder.—*Jos. Armitage*, *Jas. Armitage*, *Wm. Henry Armitage*, and *Chas. Armitage*, Marsden, Almondbury, Yorkshire, woollen-cloth manufacturers.—*Edward Yates*, Leeds, Yorkshire, veterinary surgeon.—*Wm. Eddison*, Rastrick, Halifax, Yorkshire, fancy woollen manufacturer.—*Edward Raisbeck*, Thornhill Lees Iron-works, Dewsbury, Yorkshire, ironmaster.—*Abraham Dunn*, Hedon, Holderness, East Riding of Yorkshire, attorney at law.—*J. Rann* the younger, Dudley, Worcestershire, printer.—*Edmund Lord*, Rochdale, Lancashire, flannel manufacturer.

SCOTCH SEQUESTRATIONS.

David Whyte, Aberdeen, tanner.—*Finlay M'Rae*, Beauly, merchant.—*Henry Robert du Vernet Grossett Muirhead*, Bredisholm, Old Monkland, Lanarkshire, deceased.—*H. Wilson*, Blackbog, Hamilton, Lanarkshire, farmer.—*W. Bogle*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Simpson, Stafford, fruiterer, Dec. 18 at 10, County Court of Staffordshire, at Stafford.—*Wm. Boulding*, Frampton, Lincolnshire, out of business, Jan. 8 at 10, County Court of Lincolnshire, at Boston.—*Thomas Pinchbeck*, Sibsey, Lincolnshire, farmer, Jan. 8 at 10, County Court of Lincolnshire, at Boston,—*Thos. Marriott*, Tamworth, Warwickshire and Staffordshire, market gardener, Dec. 19 at 2, County Court of Warwickshire, at Tamworth.—*John Watts*, Birmingham, butcher, Dec. 22 at 2, County Court of Warwickshire, at Birmingham.—*Joshua Wood*, Balsall-heath, Worcestershire, bedstead maker, Dec. 22 at 2, County Court of Warwickshire, at Birmingham.—*George Osmond Edmonds*, Birmingham, ale dealer, Dec. 22 at 2, County Court of Warwickshire, at Birmingham.—*James Truman* the younger, New Lenton, Nottinghamshire, lace maker, Jan. 4 at 9, County Court of Nottinghamshire, at Nottingham.—*Wm. Foat*, Isle of Thanet, Kent, poulterer, Dec. 18 at 10, County Court of Kent, at Ramsgate.—*John Taylor*, Stalybridge, Cheshire, out of business, Dec. 20 at 12, County Court of Lancashire, at Ashton-under-Lyne.—*John Lewis*, Llywyn y Foxen, Llywell, Brecknockshire, shoemaker, Dec. 18 at 10, County Court of Brecknockshire, at Brecknock.—*Charles Barton*, Market Rasen, Lincolnshire, blacksmith, Jan. 16 at 12, County Court of Lincolnshire, at Market Rasen.—*John Winter*, Newton Abbot, Devonshire, baker, Dec. 29 at 11, County Court of Devonshire, at Newton Abbot.—*Charles Chambers*, Leicester, out of business, Jan. 12 at 10, County Court of Rutlandshire, at Uppingham.—*Thomas Hammond*, Eling, Southampton, butcher, Dec. 29 at 10, County Court of Hampshire, at Southampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 28 *at* 11, *before Mr. Commissioner* PHILLIPS.

James Marsh Terry, Half Moon-crescent, Islington, Middlesex, carman.—*Wm. Phair*, Union-st., Borough, Southwark, Surrey, hatter.—*James George Folley*, Old Norland-terrace, Notting-hill, Middlesex, builder.—*Edward George Davies*, Bermondsey New-road, Surrey, lint manufacturer.—*Richard Cooper*, Frederick-street, Regent's-park, Middlesex, greengrocer.

Dec. 29 *at* 10, *before Mr. Commissioner* LAW.

Wm. Laker, Mortlake, Surrey, wheelwright.—*R. Mason*, Charles-street, Hatton-garden, Holborn, Middlesex, tailor.—*F. Mitchell*, Holland-place, Kensington, Middlesex, carver and gilder.—*James Higgs*, Deptford, Kent, lightermen.

Dec. 29 *at* 11, *before Mr. Commissioner* PHILLIPS.

James Hoy, James-street, Hoxton, Middlesex, out of business.—*Robert Bygrave*, Watford, Hertfordshire, tailor.—*J. Smith*, High-street, Poplar, Middlesex, inspector of coal ships for the port of London.—*Richard Munns*, Chenies-street, Alfred-place, Tottenham-court-road, Middlesex, upholsterer.

Dec. 31 *at* 10, *before Mr. Commissioner* LAW.

William Osborn, Gilbert-street, Oxford-street, Middlesex,

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butcher.—*Alfred De Dreux*, Robert-street, King's-road, Chelsea, Middlesex, artist.—*Wm. Dunk* the younger, Warwick-court, Gray's-inn, Holborn, Middlesex, architect.—*M. Edwards*, Chesham-street, Belgrave-square, Middlesex, servant.—*Fred. J. Wade*, Wellington-terrace, Waterloo-road, Surrey, silver worker.—*Milford Veal*, John-street, Fitzroy-roy-square, Middlesex, wine merchant.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 28 *at* 10, *before Mr. Commissioner* LAW.

Daniel Thomas, James-street, Larkhall-lane, Clapham, Surrey, grocer.—*M. H. Jones*, Winchester-terrace, Middlesex, dealer in milk.—*Samuel Horton*, Bloomsbury-street, Vauxhall-bridge-road, Middlesex, out of business.—*G. W. D. Hay*, Great Portland-street, Oxford-street, Middlesex, lieutenant in the Royal Artillery.—*Wm. Geo. Parminter*, Collegiate-house, Wandsworth-common, Surrey, clerk.—*J. F. Oldfield*, Curzon-street, New North-road, Middlesex, plumber.—*Harry Mills*, Red Lion-street, Borough-market, Southwark, Surrey, out of business.

Dec. 28 *at* 11, *before Mr. Commissioner* PHILLIPS.

Wm. Clark the younger, Hemsworth-street, Hoxton Old-town, Middlesex, man milliner.—*Edw. Smith*, Great James-street, Bedford-row, Middlesex, attorney at law.—*Robert Talbot*, Arsenal, Woolwich, Kent, captain in the Royal Artillery.—*John Atkinson*, Harrell-terrace, Grange-road, Bermondsey, Surrey, commission agent.—*Robt. Henesey*, Gray's-inn-lane, Middlesex, dealer in mahogany.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN, *Jan.* 7 *at* 10.

William Palethorpe, Wragby, seedsman.

At the County Court of Devonshire, at the CASTLE OF EXETER, *Dec.* 29 *at* 10.

Charles Fox Turner, Devonport, purser in Her Majesty's Royal Navy.—*John Baker*, Down-farm, Bratton, Fleming, farmer.—*Edward Effer*, Totnes, victualler.

INSOLVENT DEBTORS' DIVIDENDS.

George Christel, Hayfield-place, Mile-end-road, Middlesex, house decorator: 2*s.* 2¾*d.* in the pound.—*Thomas Wilson*, Liverpool, painter: 2*s.* 4¼*d.* in the pound.—*Wm. C. Gill*, Miller-place, Park-road, Dalston, Middlesex, in no business: 1*s.* in the pound.—*T. Gowland*, Rochester-square, Camden-town, Middlesex, teacher of dancing: 2*s.* 5¼*d.* in the pound.—*Wm. Marshall* the elder, Upper Thames-street, Middlesex, merchant's clerk: 5¼*d.* in the pound.—*Henry Hall*, York-road, Lambeth, Surrey, comedian: 2*s.* 10*d.* in the pound.—*Rich. Lloyd*, Ynysfaig, Llangelynin, Merionethshire, farmer: 18*s.* 4*d.* in the pound.—*F. G. Crossley*, Halifax, Yorkshire, sharebroker: 1*s.* 8*d.* in the pound.—*R. Bottrell*, East-lane, Bermondsey, Surrey, civil engineer: 10¾*d.* in the pound.—*Samuel Keene*, Coventry, ironmonger: 3*s.* 7½*d.* in the pound.—*Thomas Shearer*, Medomsley, Durham, innkeeper: 1*s.* 5½*d.* in the pound.—*R. King*, Ashton-under-Lyne, Lancashire, chemist: 3*s.* in the pound.—*Stephen Giles Holmans*, Park-street, Grosvenor-square, Middlesex, veterinary surgeon: 1*s.* in the pound.—*George Longmore*, Lansdowne-place, Brunswick-square, Middlesex, general merchant: 6¼*d.* in the pound.

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Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, DECEMBER 22, 1849.

We have seen a short pamphlet on Patent-law Reform, which is, in fact, a reprint from a paper published in the *London Journal of Arts;* it bears the name, and we presume emanates from the pen, of Mr. Newton, a gentleman whose well-known experience as a patent agent entitles his opinions, on the practical questions affecting the interests of inventors, to much consideration. Mr. Newton, after pointing out what he considers the most oppressive defects of the law and practice of patents, as at present administered, proceeds to suggest the following alterations:—

"1st. That patents shall be held on the same tenure as heretofore, viz. as royal grants; but that the terms of the grant shall be changed, so as to shew that *justice*, and not *favour*, is the motive for conferring such privileges. [By this means, it is presumed that the feeling of jealousy, which too generally exists in the public mind against patentees, will be in great part removed.]

"2nd. That in place of the three patents which are required to give an inventor the sole right to work his improvements in the United Kingdom of Great Britain and Ireland, the Colonies, and Channel Islands, the limits of all patents hereafter granted shall be, the British empire. [By thus extending to the utmost the sphere of the patentee's operations, he will have an inducement to push his invention in those parts of the empire where its use must now, in most cases, be of necessity unknown.]

"3rd. That the cost of a patent for fourteen years shall be reduced to 30*l.*; and that patents for a term of five years shall be granted, for minor inventions, at a cost of 10*l.* [This reduction in the cost of patents would, by holding out a prospect of reward to ingenuity, confer incalculable benefits on inventors generally, and, consequently, increase the prosperity of the manufactures and commerce of the country, enabling Britain, through the uncrippled energy and unrivalled skill of her sons, to compete successfully with the world in every branch of the manufacturing arts. The granting of short and cheap patents would allow of that legislative abortion—the act for registering articles of utility—being swept away.]

"4th. That a patent shall in no case include more than one invention, or one improved manufacture; that is to say, a patent shall protect one invention, whether it be applied to one or more manufactures; or it shall protect one improved manufacture, whether such manufacture be effected by one or more inventions. [On the adoption of this proposition, it would be possible to ascertain the object of an invention by reading the title of the patent; which facility is of the utmost consequence in conducting a search among old patents, with the view of discovering what has been already done in any given manufacture.]

"5th. That all applications for patents shall, as heretofore, be made at the Secretary of State's office, and be subject to the present fee; and that such applications shall be referred to the English Attorney or Solicitor-General, for their consideration; at whose office a fee of 10*l.* shall be paid on every application for a fourteen years' patent, and 5*l.* for a five years' patent—one half of which sums, respectively, shall be remitted, in case the application is finally rejected.

"6th. That the patent shall bear date from the day on which the inventor's application is received at the Attorney or Solicitor-General's office; and that with such application shall be deposited a preparatory specification of the invention sought to be patented. [This,

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in connexion with amendment No. 7, will prevent the carrying on of the frauds before mentioned, and will insure to the inventor his right to protection.]

"7th. That, as an appendage to the office of the Attorney and Solicitor-General, a board of examiners, consisting of not less than three scientific men, shall be appointed, whose duties shall be to inquire into the sufficiency of every preparatory specification that is deposited, and assist the Attorney and Solicitor-General in coming to a right decision in cases of opposition*.

"8th. That the examiners shall be empowered to reject such applications as are not accompanied by a clear description, setting forth the nature and object of the invention; to refuse all applications which include more than one invention; and to apprise applicants that their inventions are anticipated, when such is the case. [These provisions will insure, first, that no purposely-mystified description could be deposited under the idea of getting more scope for the insertion of additional improvements in the complete specification; secondly, that the advantages contemplated under amendment No. 4, will be realised; thirdly, that an inventor will have a means of ascertaining whether the invention for which he is soliciting a patent is or is not the subject of an unspecified patent.]

"9th. That the Lord Chancellor shall be empowered, on receiving the report of the Attorney or Solicitor-General, to order the patent to be prepared, and the Great Seal to be affixed thereto.

"10th. That the third payment, making up the cost of the patent to 10*l.* or 30*l.*, respectively, shall be paid into the Great Seal office within one month from the day on which the application was made, and that before the patent is sealed: in default of payment, the application to be considered as withdrawn.

"11th. That any party becoming honestly possessed, by purchase or otherwise, of an invention, whether emanating from a British subject or a foreigner, shall be at liberty to obtain a patent for that invention in his own name, provided the inventor's name be recited in the patent. [This will render patent property a far safer investment for capitalists than at present; and will, consequently, enable poor inventors to find pecuniary assistance more readily than heretofore.]

"12th. That in case a party has fraudulently obtained a patent for the invention of another, it shall be competent for the Lord Chancellor, on the matter being brought judicially before him, to order a transfer of all rights in the patent to the first and true inventor. [By the adoption of this clause, it will not be necessary, in order to undo one act of injustice, to commit another; for, instead of the *inventor* being benefited by the cancelling of a patent fraudulently obtained for his discoveries, it is the *public* who, by the present plan, are advantaged—for the invention then becomes public property.]

"13th. That the stamp-duty on specifications shall be removed, and that the preparatory specifications shall be also recorded at the office where the complete specifications are inrolled.

"14th. That for these six months next ensuing from the inrolment of his specification, the patentee shall have the exclusive right to print a description of his invention. [This will secure him from the inconvenience and loss to which he is at present subject, if he cannot apply for his foreign patents before his English specification is inrolled*.]"

The first of the proposed amendments appears to us to be quite immaterial. If it will please inventors, that the patent should recite that they are entitled as of right to patents, instead of, that the Queen, of her mere motion, is pleased to grant them, so let it be, we should say, if we were consulted thereon by her Majesty or her Majesty's Attorney-General. The point is of as little consequence as it is whether the seal affixed to letters-patent is of white or of yellow wax.

The second proposition is much more material; and if the cost of a patent for the whole British empire is reduced to 30*l.*, or thereabouts, as proposed in the third suggestion, we should say it would be very desirable that every patent should be for the whole empire; but if the proposed reduction in price, or a reduction coming very near to it, does not take place, then there are substantial reasons why the grants should remain as they now are—separate for the three kingdoms; and these reasons are, that it would be, in certain cases, a considerable hardship on an inventor to compel him to take and pay for a patent more extensive than he would desire, having regard to the fact, that there are many inventions relating to trades exclusively, or almost exclusively, carried on in one or two of the three kingdoms; and hence a patent in the other or others of them would be comparatively useless.

Mr. Newton's third proposition will probably meet with unqualified approbation from the class of inventors, nor do we see anything in it to find fault with, as regards the public. Some mischief may be done by the facility which it will afford for inundating trade with petty inventions; but, on the other hand, probably a more than counterbalancing benefit to the public will result from the facility offered to inventors, of moderate pecuniary means, for applying themselves to the task of perfecting manufactures.

The sixth, seventh, and eighth suggestions are important; their object is, and probably their effect will be, to prevent those frauds which are too frequently committed, by persons applying for inventions, with what is termed a wide title, and then, under the existing practice, taking possession, in the interval allowed for filing a specification, of other men's inventions, and introducing them into their own specifications. Most of the remaining suggestions have a practical bearing, and are deserving of much consideration. They would not, as their author observes, remodel the whole system, and might leave many blots untouched; but they would introduce, if adopted, at least some substantial improvements.

The Queen has been pleased to appoint James O'Dowd, Esq., to be her Majesty's Solicitor-General for the Island of Tobago.

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* "To secure efficient examiners, we should suggest that they be appointed by, and be subject to dismissal from, the Crown lawyers, who would personally feel the inconvenience of having incompetent parties in such a capacity, and would, therefore, be careful whom they appointed. The remuneration of these officers we should limit to about 500*l.* per annum each."

* The passages between brackets are the comments of Mr. Newton, not ours.—Ed.

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Reviews.

1. *A Treatise on the Principles of Evidence and Practice as to Proofs in Courts of Common Law; with Elementary Rules for conducting the Examination and Cross-examination of Witnesses. By* W. M. Best, *LL.B., of Gray's-inn, Barrister at Law. Small* 8vo., *pp.* 570. [*Sweet.*]
2. *A Treatise on the Law of Evidence, as administered in England and Ireland; with Illustrations from the American and other Foreign Laws. By* John Pitt Taylor, *Esq., of the Middle Temple, Barrister at Law. In Two Volumes, royal* 8vo., *pp.* 1472. [*Maxwell.*]

Mr. Best explains that his design is not to add to the practical treatises by which the subject has been illustrated, but to examine the principles on which its rules are founded, tracing them to their sources, and shewing their connexion with each other. By executing this design with extraordinary care, ability, and success, Mr. Best has imposed a lasting obligation on students of every branch of English law; for the principles of evidence are of general application in the English law, and there is no division of practice in which they do not, more or less, come into operation. A systematic exposition of the principles of evidence, unincumbered with practical details, or with any discussion of particular authorities, but always considered with reference to the foundations of those principles in reason and policy, is at once the most attractive form which a treatise on the subject can assume, and the most likely to leave a lasting impression on the memory. The late J. W. Smith insisted on the fitness of mercantile law for scientific exposition in a small compass, because its rules are deduced from considerations of utility, the force of which the mind perceives as soon as they are pointed out—unlike the law of real property, which is unintelligible apart from the details of its history. The fitness of the law of evidence for compression is still more striking, because it depends more exclusively on logical and scientific considerations. Other parts of the law are founded on positive precepts, the creation of the Legislature or of usage, and it is only the application of them in practice that involves the use of exact reasoning; but the law of evidence is a scientific art invented by the judges themselves, founded on acknowledged principles of human nature and the rules of logic, and in the main is not clogged with arbitrary dogmas, but follows the course which any private searcher after truth would adopt. Upon this view of the subject is founded Mr. Best's division of the introductory part of his work:—

"Facts which come in question in courts of justice 'are inquired into and determined precisely in the same 'way as doubtful or disputed facts are inquired into 'and determined by mankind in general, except so far 'as positive law has interposed artificial rules to secure 'impartiality and accuracy of decision, or exclude col-'lateral mischiefs likely to result from the investiga-'tion. And this is strictly analogous to the relation 'between natural and municipal law, of which it has 'been well observed, 'There are in nature certain 'fountains of justice whence all civil laws are derived 'but as streams; and like as waters do take tincture and 'tastes from the soils through which they run, so do 'civil laws vary according to the regions and govern-'ments where they are planted, though they proceed 'from the same fountains.' (Bac. Adv. Learn., book 2). 'As, therefore, the study of natural law precedes that of 'municipal, so an inquiry into the natural resources of 'the human mind, for the investigation of truth, should 'precede an examination of the artificial means devised 'for its assistance." (Introduction, p. 1).

In the Introduction are considered, first, the sources of ideas, the nature of belief, the different kinds of evidence and testimony; and, secondly, the nature of judicial evidence, and the peculiarities (arising principally from the fact, that a judicial tribunal cannot, like a philosophical or historical inquirer, suspend its judgment, but must form a conclusion, and act upon it) distinguishing judicial from other evidence.

Part I contains—Chap. 1. A general view of the English system of judicial evidence. 2. History of the rise and progress of the English law of evidence.

Part II contains—Chap. 1. Witnesses—their obligation to give evidence—their privileges—their competency—and the grounds of suspicion of oral testimony. 2. Real evidence, immediate and circumstantial—forgery of real evidence. 3. Documentary evidence.

Part III. Rules regulating the admissibility of evidence. Chap. 1. Primary rules of evidence—relevancy—onus probandi—extent of proof. 2. Secondary rules of evidence—direct and circumstantial evidence, and presumptions of law and fact—primary and secondary evidence—derivative or second-hand evidence in general—res inter alios acta—opinion evidence—self-regarding evidence—quantity of evidence required—evidence rejected on grounds of public policy—res judicata.

Part IV.—Chap. 1. Forensic practice respecting evidence—usual course of a trial—offering, receiving, and objecting to evidence. 2. Elementary rules for conducting the examination and cross-examination of witnesses.

The solid reputation which Mr. Best has earned by his treatise on Presumptions and Presumptive Evidence, will be rather augmented than impaired by this new work, on a subject of more general interest. His expositions of principles and rules are always clear and exact; his illustrations from history and general literature are not got up for the occasion, but are drawn from the stores of a studious and discursive mind; and if some of his metaphysical speculations, or his notions of the expediency of particular institutions, do not please us, they relate to subjects on which diversity of opinions will probably long continue to exist. We shall take another opportunity to examine into the grounds of his approval of trial by jury.

Mr. Taylor's work is "founded" on Dr. Greenleaf's American treatise on the Law of Evidence, much in the same way as Mr. Bright's treatise on the Law of Husband and Wife is founded on Roper's well-known work. The external difference between the two superstructures is however striking; for Mr. Bright acknowledges his obligations to Roper on the title and on the back of his book; but Mr. Taylor, considering, perhaps, that the graft is nobler than the stock, gives no intimation, in his title-page, of Dr. Greenleaf's claim to the plan and arrangement, and a considerable part of the substance, of "Taylor on Evidence." In the Preface, indeed, the truth comes out, and Mr. Taylor confesses, that, after having been for some months engaged in the task of merely editing Dr. Greenleaf's treatise, the bright idea struck him, that, by citing the English cases more at length, and introducing the English statutes, and suppressing some of the American citations, he might be able so far to alter the American work as to pass it for his own. It is not for us to inquire into Mr. Taylor's private motives to this rather startling proceeding; but we cannot help perceiving that part of his industry appears to have been employed in striking out, not only some citations of American cases, but also the majority of Dr. Greenleaf's candid references to English treatises, and especially to those treatises of Messrs. Starkie and Phillipps which every writer on the English law of evidence, whether he acknowledges it or not,

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must, if he is possessed of common sense, be deeply indebted to. No one but a Lord Foppington, and least of all a practical English lawyer, can afford to rely exclusively on the natural sprouts of his own wit, neglecting the accumulated harvests of his predecessors; nor is it by ignoring the labours of such men as Starkie and Phillipps that Mr. Taylor will raise himself to anything near their level. Throughout the chapter on Presumptions, Mr. Taylor has but one reference to Mr. Best's treatise on that subject, and that is appended to the following passage:—"We may here mention 'one or two presumptions which attach to particular 'trades, and which, though apparently harsh, are in 'reality founded on just principles of public policy." Dr. Greenleaf, from whom the greater part of the chapter is transcribed, repeatedly refers to Mr. Best's work, both for particular passages and generally. We had proceeded a little way in a comparative examination of the chapter with Mr. Best's work, in order to discover whether Mr. Taylor had really not made use of the book which he seemed so unwilling to cite, when we stumbled upon two parallel passages in Greenleaf and Taylor which resolved our doubts. In Greenleaf, part 1, ch. 4, p. 46, is the following passage:—"Juries 'are often instructed or advised, in more or less forcible 'terms, to presume conveyances between private indi- 'viduals in favour of the party who has proved a right 'to the beneficial enjoyment of the property, and 'whose possession is consistent with the existence of 'such conveyance as is to be presumed, especially if 'the possession without such conveyance would have 'been unlawful, or cannot be satisfactorily explained. '(Phill. & Am. Evid. 475, 477; 1 Phill. Evid. 455, 457)." The passage in Taylor (vol. 1, p. 135) stands thus:—"Juries are often instructed or advised, in more or less 'forcible terms, to presume conveyances between pri- 'vate individuals in favour of the party who has proved 'a right to the beneficial ownership, and whose undis- 'turbed possession, being consistent with the existence 'of the conveyance required to be presumed, affords 'reasonable ground for belief that the legal title has in 'fact been conveyed. (*Doe* v. *Cooke*, 6 Bing. 180, per 'Tindal, C. J.)" [The reference to Phill. Evid. is suppressed.] We then turned to 1 Phill. 475, and found—"Conveyances between private individuals are 'often recommended to juries, in more or less forcible 'terms, as presumable in favour of a party who has 'proved a right to the beneficial ownership of property, 'and whose possession has been consistent with the ex- 'istence of such a conveyance as is to be presumed, es- 'pecially if the possession cannot be accounted for, and 'would have been unlawful, except on the supposition 'of a conveyance. (Per Tindal, C. J., in *Doe* v. *Cooke*, '6 Bing. 180)." We gave Mr. Taylor credit for citing Tindal, C. J., more exactly than Mr. Phillipps had done; but on turning to Bingham we found the dictum to be as follows:—"In all these cases the presumption has been 'made in favour of the party who has proved a right to 'the beneficial ownership; the possession has been con- 'sistent with the existence of the surrender required to 'be presumed, and has made it not unreasonable to be- 'lieve that the surrender should have been made in 'fact." Thus Mr. Taylor retains the passage which Dr. Greenleaf owed to Mr. Phillipps, suppresses the reference to that writer, and, substitutes *his* reference to *Doe* v. *Cooke*, but does not substitute the actual terms of the dictum, which Mr. Phillipps had paraphrased in order to give it a more general application. All this must have cost trouble, which might have been otherwise bestowed with more credit to the "adapter," and more profit to his reader. It must be confessed, however, that this is only an extreme case of a fault at present too common among legal writers. Whenever, as must constantly happen in the preparation of a legal treatise of any length, the writer makes use of a preceding author, either simply as a guide to the cases supporting a particular proposition, or as his authority for stating the effect of them, it is his duty, both to his author and to his reader, to confess his obligation. Such citations, too, lead the student to a knowledge of the best sources of information. But if a preceding treatise merely directs a writer to authorities from which he draws conclusions more exact or more extensive than those of his predecessor, the obligation is too small to require an acknowledgment which, that it may not mislead, must necessarily be qualified. From reading Mr. Taylor's references, one would imagine that he had derived his knowledge of the law of evidence almost exclusively from the reports and inspiration. Mr. Best almost errs in the other extreme, and so scrupulously acknowledges his obligations, that he cannot even bring in the well-known quotation from the De Arte Poetica,

"Segnius irritant animos demissa per aurem," &c.,

to illustrate the value of real evidence, without giving to Bonnier the credit of that particular use of it.

Mr. Taylor, however, has bestowed great labour on his prize, and has produced a useful digest of the law of evidence, which, though very unreadable, is, for practical purposes, the best because the latest in the market, superseding, for the use of every one but the student, the more scientific works to which we have alluded, until new editions of them, in their turn, drive Mr. Taylor's out of the market. It has not, any more than its American parent, any well-founded pretensions to a scientific character; for although Mr. Taylor has preserved some of the philosophical tinsel with which, after the fashion of American writers, Dr. Greenleaf has decorated one or two chapters, and has even added a few scraps of his own picking up, he has not attempted, or attempting has entirely failed to achieve, that happy union of philosophical with legal views which constitutes the charm of the two English treatises.

Mr. Taylor says, "From the American decisions 'cited by Dr. Greenleaf, I have made a copious selec- 'tion, having referred to such as in my judgment 'either afforded favourable illustrations of doubtful 'points of law, *or laid down rules superior to those* '*adopted in our courts*. . . . The libraries of our inns 'of court contain neither a large nor a well-chosen col- 'lection of American decisions; but I am happy to say 'that the librarian of the Middle Temple, with a libe- 'rality which I trust will be followed by the other inns, 'has determined to remedy the evil, and has made ar- 'rangements for the purchase of all such reports as are 'held in estimation by the courts of the United States."

Of all cants, the cant of comparative jurisprudence disgusts us most, because it concerns us most nearly. We are now writing with more than 650 volumes of English reports on the shelves around us, though our collection is far from complete; and we are sorry to find that from a few affected writers the foppery has spread into our courts, of citing Irish and American decisions; as if the great professional evil of the day were not the overwhelming accumulation of our own reports—as if the chief impediment to the improvement of the scientific part of our law lay not in the very multitude of its precedents—and as if one lawyer out of ten were even possessed of, not to say adequately familiar with, a complete collection of English reports.

When the quality of these transatlantic authorities is examined, the mania for citing them appears still more extraordinary, for not the best of them that we have seen will bear comparison with the staple of our own courts. This is a consequence of the peculiar social and political circumstances of the United States. It would, indeed, be extraordinary if the lawyers of the most civilised country in the world could go abroad with advantage to learn either the theory or the practice of their own art. As, however, the works of

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Dr. Story, Chancellor Kent, &c., continue to be imported into this country, and have still a much higher reputation than they deserve, it may save the student some waste of money and time if we devote a little space to an exposition of their real character and worth.

(*To be continued*).

London Gazettes.

TUESDAY, December 18.

BANKRUPTS.

EDWARD WHALLEY, Kingsgate-street, High Holborn, Middlesex, clothworker, presser, and packer, dealer and chapman, Dec. 31 at half-past 12, and Feb. 4 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Shaw & Newstead, Ely-place.—Petition dated Dec. 14.

FRANCIS GOLDING, Tunbridge Wells, Kent, grocer, Dec. 29 at 12, and Feb. 2 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Hewitt, Tunbridge Wells, Kent; Malton, 60, Carey-street, Lincoln's-inn.—Petition dated Dec. 13.

FREDERICK KING, Oxford, auctioneer, Dec. 29 at 11, and Jan. 31 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Pownall & Cross, Staple-inn, Holborn.—Petition dated Dec. 10.

JOHN GEORGE BRIGGS, Leicester, innkeeper and carrier, dealer and chapman, Jan. 4 and 25 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Gregory, Leicester.—Petition dated Nov. 30.

WILLIAM HENRY MALPAS, Nottingham, innkeeper, dealer and chapman, Jan. 11 and Feb. 8 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Petition dated Dec. 13.

ROBERT GIBBS, Birmingham, and Dog Pool Farm, Northfield, Worcestershire, corn dealer, dealer and chapman, Dec. 31 and Jan. 28 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Benson, and Wright, Birmingham.—Petition dated Dec. 14.

THOMAS MEES, Brierley Hill, Staffordshire, boiler and gasometer manufacturer, and gas manufacturer, Dec. 27 and Jan. 22 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated Dec. 13.

HENRY HEPWORTH, Selby, Yorkshire, linendraper and hosier, dealer and chapman, Jan. 1 and 22 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Harle & Clarke, Leeds; Hodgson, Selby.—Petition dated Dec. 15.

JOSEPH RAPHAEL, Liverpool, jeweller, dealer and chapman, Jan. 2 and 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Pemberton, Liverpool.—Petition dated Dec. 14.

MATTHEW FLAIG and JOHN ALEXANDER, Bath, Somersetshire, watch and clock makers and jewellers, dealers and chapmen, Jan. 3 and 31 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Hellings, Bath.—Petition filed Dec. 5.

Meetings.

The Merchant Traders' Ship Loan and Insurance Association, Jan. 15 at 11, Court of Bankruptcy, London, pr. d.—*J. Saull*, Long Buckby, Northamptonshire, licensed victualler, Dec. 29 at 11, Court of Bankruptcy, London, aud. ac.—*T. Reed*, North Shields, Northumberland, banker, Jan. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Bullmore*, Clerkenwell-close, and Bedford-st., Covent-garden, Middlesex, gold and silver wire drawer, Jan. 10 at 11, Court of Bankruptcy, London, div.—*Wm. Chappelow* the younger, Jermyn-st., St. James's, Middlesex, wholesale saddler, Jan. 10 at 1, Court of Bankruptcy, London, div.—*Andrew Duncan*, Wilson-st., Finsbury, Middlesex, manufacturer of preserved provisions, Jan. 10 at 1, Court of Bankruptcy, London, div.—*Gabriel Benda*, Camomile-st., London, importer of foreign goods, Jan. 10 at half-past 11, Court of Bankruptcy, London, div.—*Lazarus Congdon*, Spring-street, Paddington, Middlesex, painter, Jan. 8 at 1, Court of Bankruptcy, London, fin. div.—*John Dailey* and *Alfred Inskipp*, Long-lane, Bermondsey, Surrey, leather manufacturers, Jan. 8 at 12, Court of Bankruptcy, London, div.—*Charles Beck* the younger, Finsbury-square, London, merchant, Jan. 8 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Shell*, Box, Wells, quarrymaster, Jan. 10 at 11, District Court of Bankruptcy, Bristol, div.—*Philip Protheroe* and *Mark Davis Protheroe*, Bristol, West India merchants, Jan. 15 at 11, District Court of Bankruptcy, Bristol, div.—*John Carter*, Liverpool, merchant, Jan. 11 at 11, District Court of Bankruptcy, Liverpool, div.—*John Philipson*, North Shields, Northumberland, printer, Jan. 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Myers Levine, Norwich, jeweller, Jan. 9 at 12, Court of Bankruptcy, London.—*Michael James Moses*, Houndsditch, London, foreign goods importer, Jan. 9 at 1, Court of Bankruptcy, London.—*Samuel Vines*, Crutched-friars, London, corn factor, Jan. 9 at 11, Court of Bankruptcy, London.—*Charles Rowland*, Horsham, Sussex, stonemason, Jan. 9 at 12, Court of Bankruptcy, London.—*Shadrach Clark*, Pickford Mills, Wheathampstead, Hertfordshire, paper maker, Jan. 9 at 2, Court of Bankruptcy, London.—*John William Edmonds*, High-st., Poplar, Middlesex, victualler, Jan. 11 at 12, Court of Bankruptcy, London.—*James Redward*, Portsea, Southampton, fishmonger, Jan. 8 at half-past 11, Court of Bankruptcy, London.—*John Beales*, Halesworth, Suffolk, apothecary, Jan. 11 at 1, Court of Bankruptcy, London.—*Hugh George Astle*, Margate, Kent, toyman, Jan. 11 at 11, Court of Bankruptcy, London.—*Thomas Reed*, North Shields, Northumberland, banker, Jan. 9 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Joseph Clementson*, Whitehaven, Cumberland, tobacconist, Jan. 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thos. Coates*, Sunderland, Durham, wine merchant, Jan. 9 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Philip Parry*, Langrwyney, Llangenny, Breconshire, victualler, Jan. 16 at 11, District Court of Bankruptcy, Bristol.—*Thomas Treffry*, Tregoney, Cornwall, seedsman, Jan. 23 at 11, District Court of Bankruptcy, Exeter.—*John Thuell*, Buckfastleigh, Devonshire, woollen manufacturer, Jan. 23 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Fred. Flear, Farndon, Nottinghamshire, miller.—*Peter Roberts*, Birmingham, builder.—*Geo. Plant*, Stafford, grocer.—*John Holden*, Burslem, Staffordshire, earthenware manufacturer.—*Joseph Gomersall*, Cleckheaton, Yorkshire, corn miller.

Scotch Sequestrations.

Anderson, M'Gregor, & Co., Kilmarnock and Glasgow, calico printers.—*Thos. Moore*, Glasgow, merchant.—*George Mackenzie*, Assynt, Alness, Ross-shire, farmer.—*G. Wilson*, Dunoon, Argyleshire, cattle dealer.—*Thos. Wallace*, Glasgow, merchant.—*Wm. Gordon*, Aberdeen, advocate.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Machin, Burslem, Staffordshire, cratemaker, Dec. 21 at 10, County Court of Staffordshire, at Hanley.—*George Lakin*, Cheadle, Staffordshire, innkeeper, Jan. 17 at 11, County Court of Staffordshire, at Cheadle.—*R. G. Aldridge*, Northampton, in no business, Jan, 2 at 11, County Court of Northamptonshire, at Northampton.—*Sarah Bennett*, Everham, Kemsing, Kent, innkeeper, Jan. 16 at 10, County Court of Kent, at Sevenoaks.—*Robert Roberts*, Liverpool, shoemaker, Dec. 24 at 10, Liverpool District County Court, at Liverpool.—*Edwin Proctor*, Liverpool, licensed victualler, Dec. 24 at 10, Liverpool District County Court, at Liverpool.—*Anthony Sharp*, Liverpool, out of business, Dec. 24 at 10, Liverpool District County Court, at Liverpool.—*B. Davenport*, Rochdale, Lancashire, cabinet maker, Jan. 3 at 12, County Court of Lancashire, at Rochdale.—*James Welsh*, Bristol, cooper, Jan. 2 at 11, County Court of Gloucestershire, at Bristol.—*George Parsons*, Sheffield, Yorkshire, licensed victualler, Jan. 2 at 10, County Court of Yorkshire, at Sheffield.—*Robert Moulton*, West Walton, Norfolk, packer, Jan. 11 at 2, County Court of Cambridgeshire, at Wisbech.—*H. Burtonshaw*, East Butterwick, Lincolnshire, grocer, Jan. 12 at 11, County Court of Lincolnshire, at Brigg.—*Geo. Clement Brown*, Sheffield, Yorkshire, cabinet maker, Jan. 2 at 10,

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County Court of Yorkshire, at Sheffield.—*J. Snelling*, Northampton, out of business, Jan. 2 at 11, County Court of Northamptonshire, at Northampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 1 *at* 10, *before Mr. Commissioner* LAW.

Wm. Bailey, Upper Brunswick-terrace, Barnsbury-road, Islington, Middlesex, accountant.—*Thomas Wentworth*, Stafford-place, Wyndham-road, Camberwell, Surrey, cowkeeper.

Jan. 2 *at* 10, *before Mr. Commissioner* LAW.

B. W. Shepherd, Walter-terrace, Caledonian-road, Islington, Middlesex, schoolmaster.

Saturday, Dec. 15.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

W. Taylor, Preston, Lancashire, plasterer, No. 71,453 C.; David Jones, assignee.—*Geo. Barlow Scholes*, Hulme, Manchester, commercial traveller, No. 71,524 C.; Martin Middleton, assignee.—*Edward Briscoe*, Horton, near Malpas, Cheshire, labourer, No. 71,529 C.; George Harper and Rich. Parry Jones, assignees.—*James Baxter*, Tillingham, Dengie, Essex, blacksmith, No. 71,731 C.; Robert Auston, assignee.—*George William Wheeler*, O'Connorville, Rickmansworth, Hertfordshire, agriculturalist, No. 71,736 C.; Jabez Pool, assignee.—*Ann Turner*, Great Hucklow, Derbyshire, farmer, No. 71,746 C.; T. Oldfield and W. Frost, assignees.—*John Fieldhouse*, Bramley, near Leeds, Yorkshire, out of business, No. 71,749 C.; Wm. Spong the younger, assignee.

Saturday, Dec. 15.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Hale, Myddleton-st., St. John-st., Clerkenwell, Middlesex, currier: in the Debtors Prison for London and Middlesex.—*John Hays*, Menton's-wharf, St. Saviour's-dock, Mill-st., Bermondsey, Surrey, corn merchant: in the Debtors Prison for London and Middlesex.—*I. Detheridge*, Alsop-place, Regent's-park, Middlesex, dealer in milk: in the Queen's Prison.—*John Mark* the younger, Great Dover-street, Newington, Surrey, baker: in the Gaol of Horsemonger-lane.—*John Moon*, Guildford, Surrey, hawker of cloth: in the Gaol of Horsemonger-lane.—*Thomas Edenborough*, Freezy Water, Enfield, Middlesex, wine merchant: in the Debtors Prison for London and Middlesex.—*John Long*, Old Bailey, London, out of business: in the Debtors Prison for London and Middlesex.—*Michael Francis Casanas*, Bull-inn-court, Covent-garden, Middlesex, out of business: in the Queen's Prison.—*Wm. James Shepheard*, Strand, Middlesex, manager of the American Bowling Saloon: in the Debtors Prison for London and Middlesex.—*Edward Reynolds*, Paddington-st., Marylebone, Middlesex, dairyman: in the Debtors Prison for London and Middlesex.—*Thomas Dove*, Loughton, Essex, builder: in the Debtors Prison for London and Middlesex.—*William C. Stewart*, Church-terrace, Church-road, Tottenham: in the Debtors Prison for London and Middlesex.—*Charles Percivall*, Murray-st., Hoxton, Middlesex, clerk to an accountant: in the Gaol of Horsemonger-lane.—*James Logie*, Great George-st., Bermondsey, Surrey, potato salesman: in the Queen's Prison.—*John Cooper*, Hanover-street, Hanover-sq., Middlesex, plumber: in the Queen's Prison.—*Henry Dolby*, Oxendon-street, Haymarket, and Quadrant, Regent-st., Middlesex, stationer: in the Debtors Prison for London and Middlesex.—*Robert Thompson*, St. Katherine's-dock, Middlesex, master mariner: in the Debtors Prison for London and Middlesex.—*John G. Wilson*, Upper Grafton-street, Fitzroy-square, gentleman: in the Debtors Prison for London and Middlesex.—*George K. Pollock*, Reigate, Surrey, and Essex-street, Strand, Middlesex, attorney at law: in the Debtors Prison for London and Middlesex.—*Charles Batten*, Cope Hall, Enborne, near Newbury, Berkshire, in no business: in the Gaol of Reading.—*J. Beaumont*, Huddersfield, Yorkshire, grocer: in the Gaol of York.—*John Hope*, Knottingley, near Ferrybridge, Yorkshire, painter: in the Gaol of York.—*Charles Doney*, Camelford, Cornwall, blacksmith: in the Gaol of Bodmin.—*Anthony Dawson*, Shincliffe, Durham, gardener: in the Gaol of Durham.—*Edward Effer*, Totnes, Devonshire, victualler: in the Gaol of St. Thomas the Apostle.—*Thomas Griggs*, Market Deeping, Lincolnshire, innkeeper: in the Gaol of Lincoln.—*John Moyes*, Bideford, Devonshire, joiner: in the Gaol of St. Thomas the Apostle.—*Joseph Masters*, Witney, Oxfordshire, accountant: in the Gaol of Oxford.—*Joseph Trow*, Netherton, Worcestershire, pattern-maker: in the Gaol of Worcester.—*Elizabeth Fulcher*, Hulme, Lancashire, grocer: in the Gaol of Lancaster.—*W. Binnie*, Birmingham, carriage-lamp manufacturer: in the Gaol of Coventry.—*Meyrick Bennett*, Woodhouse-farm, Westbury, Shropshire, farmer: in the Gaol of Coventry.—*James Henry Carr*, Leeds, Yorkshire, iron merchant: in the Gaol of York.—*Jos. Eynon*, Lawrenny, Cocheston, Pembrokeshire, master mariner: in the Gaol of Haverfordwest.—*John Winter*, Huddersfield, Yorkshire, woollen cloth merchant: in the Gaol of York.—*Edwin Chapman*, Chatham, Kent, watchmaker: in the Gaol of Maidstone.—*Christopher Dodsley*, Swinnerton, Staffordshire, clerk: in the Gaol of Stafford.—*John Hughes Edmonds*, Abercerdenin, Lampeter-pontstephen, Cardiganshire, attorney at law: in the Gaol of Cardigan.—*John Dodd*, Newbold, Chesterfield, Derbyshire, saddler: in the Gaol of Derby.

(On Creditor's Petition).

Absalom Crowe, Debenham, Suffolk, farmer: in the Gaol of Ipswich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 1 *at* 10, *before Mr. Commissioner* LAW.

Wm. Edwards, Collier's-rents, White-street, Southwark, Surrey, zinc manufacturer.

Jan. 3 *at* 11, *before Mr. Commissioner* PHILLIPS.

Wm. Patterson, East-pl., Chapel-st., and Rawstone-st., Clerkenwell, Middlesex, coal dealer.

Jan. 3 *at* 10, *before Mr. Commissioner* LAW.

Hen. Eley, Upper Mansfield-pl., Kentish-town, Middlesex, travelling chemist.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cornwall, at BODMIN, *Jan.* 2 *at* 10.

Charles Dowey, Camelford, blacksmith.—*Tobias Martin*, Mylor, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Broom, gunner in the Royal Navy, Solomon's, Portsea, Hampshire: 9*s.* in the pound.

FRIDAY, DECEMBER 21.

BANKRUPTS.

CHARLES WYNNE DAVIS, Brownlow-street, Holborn, Middlesex, licensed victualler, dealer and chapman, Dec. 31 at 1, and Jan. 29 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Linklaters, 1, Charlotte-row, Mansion-house.—Petition dated Dec. 10.

JOSEPH HENRY CLEGG, Royton, Lancashire, cotton spinner, dealer and chapman, Jan. 2 and 23 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Cobbett, Manchester.—Petition dated Dec. 19.

RICHARD VENNING, Totnes, Devonshire, cider merchant, dealer and chapman, Jan. 1 and 29 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Presswell, Totnes; Stogdon, Exeter.—Petition filed Dec. 20.

MEETINGS.

John Angus, Berwick-upon-Tweed, dealer in glass, Jan. 15 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Samuel Henry Leah* the younger, Romford, Essex, auctioneer, Jan. 11 at 11, Court of Bankruptcy, London, aud. ac.—*James Warden Gowing*, East Dereham, Norfolk, stationer, Jan. 11 at half-past 11, Court of Bankruptcy, London, aud. ac. and div.—*John Christopher Addison*, Margaret-street, Cavendish-square, Middlesex, grocer, Jan. 10 at 12, Court of Bankruptcy, London, aud. ac.; Jan. 11 at 12, div.—*Hugh George Attle*, Margate, Kent, toyman, Jan. 11 at 11,

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Court of Bankruptcy, London, aud. ac. and div.—*John Beales*, Halesworth, Suffolk, apothecary, Jan. 11 at 1, Court of Bankruptcy, London, aud. ac.—*Josiah Charter*, Grimstone, Norfolk, grocer, Jan. 5 at 12, Court of Bankruptcy, London, aud. ac.—*Cornelius Bray*, Landport, Portsea, Southampton, trader, Jan. 5 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Mark M'Giverin* and *Joseph Johnson*, Manchester, smallware manufacturers, Jan. 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 17 at 11, div.—*Joseph Chatterton*, Manchester, coachbuilder, Jan. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Bradshaw*, Birmingham, builder, Jan. 9 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Grice*, Ardwick, near Manchester, draper, Jan. 2 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Elizabeth Aydon* and *Thomas William Ferguson*, Newcastle-upon-Tyne, grocers, Jan. 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 17 at 11, div.—*Henry Bourne*, Wolsingham, Durham, scrivener, Jan. 17 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 18 at half-past 10, div.—*William Lee* and *Joseph Lee*, Sunderland, Durham, ironfounders, Jan. 15 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Jan. 17 at 11, div. sep. est. of *W. Lee*.—*Isaac Terry*, Haymarket, Middlesex, watch manufacturer, Jan. 11 at 11, Court of Bankruptcy, London, div.—*Henry Rogers*, Southampton, draper, Jan. 12 at 12, Court of Bankruptcy, London, div.—*Charles Edward Colls*, High-street, Poplar, Middlesex, draper, Jan. 12 at 12, Court of Bankruptcy, London, div.—*Lesley Alexander* and *William Bardgett*, Old Broad-street, London, merchants, Jan. 12 at 1, Court of Bankruptcy, London, div.—*Philip Protheroe* and *Mark Davis Protheroe*, Bristol, West India merchants, Jan. 15 at 11, District Court of Bankruptcy, Bristol, div. sep. est. of *Mark D. Protheroe*.—*Wm. Sutton*, Stockport, Cheshire, cotton-waste dealer, Jan. 15 at 12, District Court of Bankruptcy, Manchester, fin. div.—*William Brook*, Manchester, Lancashire, and Goldsmith-st., London, stuff merchant, Jan. 14 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Francis Deflinne*, Manchester, gingham manufacturer, Jan. 15 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Wm. Hague*, *Saml. Hague*, and *Wm. Shatwell*, Manchester, commission agents, Jan. 14 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Eliza Neuens, Bread-st., London, watchmaker, Jan. 11 at half-past 1, Court of Bankruptcy, London.—*Geo. Sedgwick*, Moorgate-street, London, stationer, Jan. 12 at 11, Court of Bankruptcy, London.—*M. Laird*, Birkenhead, Cheshire, commission agent, Jan. 14 at 11, District Court of Bankruptcy, Liverpool.—*Joseph Jackson*, Birmingham, builder, Jan. 17 at 12, District Court of Bankruptcy, Birmingham.—*A. Davies*, Aston-park, Wem, Shropshire, coal merchant, Jan. 14 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Smith and *James D. Galer*, Birmingham, tea dealers.—*Thomas B. Bowater*, Birmingham, factor.—*Henry Green*, Liverpool, ironmonger.—*George Smith*, Liverpool, merchant.—*Joseph Ashworth*, Bury, Lancashire, gardener.—*James Parr*, Manchester, woollen card manufacturer.—*Wm. Maude*, Bolton-le-Moors, Lancashire, licensed victualler.—*W. Amos*, Whitstable, Kent, coal merchant.—*L. Guilleaume*, Berners-st., Oxford-street, Middlesex, manufacturer of artificial flowers.—*Hen. Paterson*, Notting-hill, Middlesex, livery-stable keeper.—*Charles Abbott*, Lower Edmonton, Middlesex, market gardener.—*Joseph Ford*, Richmond, Surrey, licensed victualler.—*John Delf*, Drury-lane, Middlesex, linendraper.—*Henry Regless*, St. Martin's-lane, Charing-cross, Middlesex, woollendraper.—*John Mallett*, Tiverton, Devonshire, grocer.—*Jairus Joel Cartwright*, Wakefield, Yorkshire, corn merchant.—*Robert Raby*, Preston, Lancashire, hatter.

SCOTCH SEQUESTRATIONS.

John Findlay, Coatbridge, grocer.—*Peter Buchan*, Broomridge, Denny, Stirlingshire, printer.—*Henry Gair*, Tullich, Ross-shire, farmer.—*Archibald Smith & Co.*, Dumbrockfield, Strathblane, Stirlingshire, bleachers.—*Peter Hughes*, dec., Newton Stewart, draper.—*Adam Burnes*, Montrose, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Worinton, Burbage, Leicestershire, grocer, Jan. 16 at 10, County Court of Leicestershire, at Hinckley.—*Wm. Cooper*, Barnard Castle, Durham, joiner, Jan. 17 at 10, County Court of Durham, at Barnard Castle.—*J. Ridehalgh*, Halifax, Yorkshire, woolcomber, Jan. 4 at 10, County Court of Yorkshire, at Halifax.—*Joseph Ridehalgh*, Halifax, Yorkshire, coal merchant, Jan. 4 at 10, County Court of Yorkshire, at Halifax.—*J. Mallinson*, Mytholm, Northowram, Halifax, Yorkshire, publican, Jan. 4 at 10, County Court of Yorkshire, at Halifax.—*John Thacker*, North Kyrne, near Sleaford, Lincolnshire, farmer, Jan. 11 at 11, County Court of Lincolnshire, at Sleaford.—*James Griffiths*, Hereford, milkman, Jan. 17 at 10, County Court of Herefordshire, at Hereford.—*Wm. H. Maddocks*, Weymouth, Dorsetshire, theatrical manager, Jan. 25 at 1, County Court of Dorsetshire, at Weymouth.—*Thomas Ramsden*, Oldham, Lancashire, hairdresser, Jan. 4 at 12, County Court of Lancashire, at Oldham.—*Wm. Smallridge*, Bristol, beer retailer, Jan. 30 at 11, County Court of Gloucestershire, at Bristol.—*Simon Jones*, St. Alban's, Hertfordshire, out of business, Dec. 28 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Wm. Moore*, Brislington, Somersetshire, keeper in attendance on insane persons, Jan. 23 at 11, County Court of Gloucestershire, at Bristol.—*James Hamer*, St. Thomas the Apostle, Devonshire, tinman, Jan. 12 at 10, County Court of Devonshire, at Exeter.—*Jas. Painter*, East Challow, Berkshire, miller, Jan. 3 at half-past 10, County Court of Berkshire, at Wantage.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 5 at 11, *before the* CHIEF COMMISSIONER.

Wm. Partridge Crate, Dudley-place, Paddington, Middlesex, carman.—*James Chant*, Beaufort-buildings, Strand, Middlesex, senior clerk to the Colonial Land and Emigration Commissioners.—*Geo. Erby*, Oxford-st., Middlesex, hosier.—*James Stenhouse*, Charlton-street, Marylebone, Middlesex, baker.—*Mary Ann Choat*, Lamb's Conduit-st., Middlesex, trunk maker.—*John Hauley*, Walcot-square, Lambeth, Surrey, reporter to the Morning Post.—*Augustus Christian Wilkens*, Oxford-st., Middlesex, dealer in tobacco.

Jan. 5 at 11, *before Mr. Commissioner* PHILLIPS.

John Daniel Seltzer, Brewer-street, Pimlico, Middlesex, pianoforte regulator.—*Cornelius Durling Maidment*, Horick-row, New-cross, Surrey, egg merchant.—*George Bond*, Commercial-road, Lambeth, Surrey, plumber.—*Edgar Ford*, Copperas-lane, Church-st., Deptford, Kent, clerk to a coal merchant.—*Horace Earle*, Rennington-st., City-road, Middlesex, attorney's clerk.

Jan. 7 at 10, *before Mr. Commissioner* LAW.

Edward Manton, Cadogan-place, Sloane-street, Chelsea, Middlesex, clerk to an estate agent.—*Fred. Jos. Chamberlain*, Whittlesey, Ely, Cambridgeshire, bookseller.—*John Sams*, Chapel-street, Curtain-road, Shoreditch, Middlesex, bedstead-cornice maker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 4 at 11, *before the* CHIEF COMMISSIONER.

Charles Eastgate, Long-acre, Middlesex, coach smith.—*John Mountford*, Wharf-road, Pritchard's-road, Regent's-canal, Hackney, Middlesex, boiler maker.—*John Caslake*, Gloucester-st., Queen-square, Bloomsbury, Middlesex, tailor.—*Wm. Bryant*, Isaac's-place, Wilstead-street, Somers-town, Middlesex, carman.

Jan. 4 at 11, *before Mr. Commissioner* HARRIS.

William Neville Eastwood, Colebrook-terrace, Islington, Middlesex, clerk to a manufacturing chemist.—*William Cook*, Fetter-lane, Holborn, London, foreman to a licensed victualler.—*Clement Robert Mowbray*, Essex-place, Grange-road, Dalston, Middlesex, out of business.—*Richard Jones*, George-st., Grosvenor-square, Oxford-st., Middlesex, out of business.

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—*Michael Magnier*, Walcot-square, Lambeth, Surrey, clerk in the General Post-office.—*Harris Gomm*, Great Carlisle-st., Edgware-road, Marylebone, Middlesex, jobbing carpenter.—*James Churchill*, Suffolk-place, Hackney-road, Middlesex, writing-desk manufacturer.

Adjourned Case.

George William Wells, Ashfield-st., Pitfield-st., Hoxton, Middlesex, accountant.

Jan. 7 at 10, *before Mr. Commissioner* LAW.

William James Shepheard, Strand, Middlesex, manager of the American Bowling Saloon.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Joshua Robinson, Liverpool, out of business, No. 71,819; David Tomb, assignee.—*John Bedale*, Hulme, Manchester, retail dealer in ale, No. 71,788; John Higginbottom, assignee.—*Sarah Garside*, Ashton-under-Lyne, licensed victualler, No. 71,841; John Gartside, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, *Jan.* 4 *at* 11.

Elizabeth Fulcher, Hulme, out of business.—*Thomas Ollis*, Liverpool, collector.—*Thos. Norman*, Ashton-in-Mackerfield, near St. Helen's, blacksmith.—*Ebenezer Ferns*, Manchester, out of business.—*Jos. Marsden*, Manchester, out of business.

At the County Court of Berkshire, at READING, *Jan.* 5.

Charles Batten, Enborne, near Newbury, in no business.

At the County Court of Lincolnshire, at LINCOLN, *Jan.* 17 *at* 10.

Thomas Griggs, Market Deeping, out of business.

At the County Court of Devonshire, at the CASTLE OF EXETER, *Jan.* 12 *at* 10.

John Moyes, Bideford, out of business.

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The Jurist

No. 677—Vol. XIII. DECEMBER 29, 1849. Price 1s.

*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

House of Lords	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
The Lord Chancellor's Court	Tenison Edwards, Esq. of the Inner Temple, Barrister at Law.
Master of the Rolls Court	G. Y. Robson, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor of England's Court	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Knight Bruce's Court	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Vice-Chancellor Wigram's Court	F. Fisher, Esq. of Lincoln's Inn, Barrister at Law.
Court of Queen's Bench	G. J. P. Smith, Esq. of the Inner Temple; and W. B. Brett, Esq. of Lincoln's Inn, Barristers at Law.
Queen's Bench Bail Court	H. Pelly Hinde, Esq. of the Inner Temple, Barrister at Law.
Court of Common Pleas, including Appeals under Registration of Voters Act	W. Paterson, Esq. of Gray's Inn; and J. R. Bulwer, Esq. of the Inner Temple, Barristers at Law.
Court of Exchequer	W. M. Best, Esq. of Gray's Inn, Barrister at Law.
Ecclesiastical and Admiralty Courts	J. P. Deane, D.C.L. of Doctors' Commons.
Cases in Bankruptcy	W. W. Cooper, Esq. of the Inner Temple, Barrister at Law.
Crown Cases Reserved	Robert R. Pearce, Esq. of Gray's Inn, Barrister at Law.

LONDON, DECEMBER 29, 1849.

It used to be said and thought by the public in general, that the opposition to law reform came principally from the lawyers. Of late, however, surely enough has been said and written, and even done, by the lawyers, to shew, that it is not now, at least, they who prevent or oppose law reforms. Hitherto they have usually confined their reforming endeavours to the reform of abuses in the ordinary practice of the law; but now a new crusade is arising, and one, perhaps, more needed than any other, against the monstrous abuses that incumber the law business of railway companies.

That the law expenses of railway companies have always been conducted on principles of the most reckless extravagance, we have been, in common with most men, well aware; but we scarcely conceived the actual amount expended. The following is the statement made by the author of a pamphlet, lately published, of the result of his examination of the returns made to the House of Lords, under the order made by that House on the 3rd May last*.

"The whole," says the author, "of these returns have been printed, and having made a careful analysis of them, I am enabled to state the result of this analysis to be, that the amount of the sums which have been already ascertained to have been expended in law charges and parliamentary expenses, by these 127 railway companies, is—

"For law charges . .	£1,234,948	14	10
"For parliamentary expenses	3,303,460	19	8
"Total . .	*£4,538,409	14	6

"In the returns thus made, only a very few, comparatively speaking, of what can properly be called the principal railways of the country, are included. Of these latter, the London and North-Western, the Lancashire and Yorkshire, and the Manchester, Sheffield, and Lincolnshire Railways, stand forth the most conspicuous, their returns being thus made:—

"London and North-Western.

"For law charges . .	£143,477	1	6
"For parliamentary expenses	714,051	1	10
"Total . .	£857,528	3	4

"Lancashire and Yorkshire.

"For law charges . .	£18,947	0	0
"For parliamentary expenses	453,199	0	0
"Total . .	£472,146	0	0

* The Law Expenditure of Railway Companies, &c. By Peter Isaac Macpherson. London, Baily, 1849.

* "In seven cases there is no return to Lord Brougham's order, under one or other of the heads forming the subject of the above returns, and in one other case there is no return at all as to either of them. The reason given for this default is shortly explained by the two talismanic words, 'Not ascertained,' which are inserted in the returns in lieu of the required information. Surely this seems, at first sight, a somewhat strange and cavalier answer to give to the House of Lords, and naturally suggests an inquiry as to the mode in which the accounts of these defaulting companies must have been kept, if they are unable to add up their law bills. If this answer is submitted to, it will form a most valuable precedent for a short answer to all parliamentary inquiry, and, no doubt, will in future get rid of a good many bothering questions."

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"*Manchester, Sheffield, and Lincolnshire.*

"For law charges	. .	£46,344	1 9
"For parliamentary expenses		321,222	19 10
"Total	. .	£367,567	1 7

"I have ascertained that there are still about sixty other railway companies by whom no returns had been made at the period of the termination of the last session, and that these latter returns are expected to be made, so as to be presented to the House of Lords, early in the session of 1850. In this number will be included the returns of the Great Western, the London and South-Western, the Eastern Counties, the South-Eastern, the Great Northern, the Midland Counties, the York and North Midland, the York, Newcastle, and Berwick, the London and Brighton, and various other railway companies not much inferior in note.

"I have, of course, no means of giving any very positive opinion as to the precise results of returns which I have had no means of inspecting. Judging, however, from my own experience in such matters, (an experience of more than thirty years), and also taking into the account that the companies which I have just enumerated (more especially the Great Western and the London and South-Western) have for years past been engaged in every species of contest, parliamentary and otherwise, that is known to the law, I am perfectly satisfied that it will not be too much to assume, that the amount of the law charges and parliamentary expenses, to be included in the returns of the next session, will be *fully double* those of the last.

"Taking, however, the result of these returns at a medium point, and calculating them at no more than six millions, (a most moderate estimate, in my opinion), it follows that the total amount of law charges and parliamentary expenses of the railway companies, which will in the end be returned to Parliament, will exceed the sum of TEN MILLIONS!!!"

This is, indeed, a marvellous amount to have been spent in parliamentary and other litigation, and the companies, no doubt, must and will alter their modes of proceeding. We have never, however, felt for the railway companies, nor do we think that they have ever deserved, much pity for the heavy taxation to which they have subjected themselves in the shape of law expenses. In the high and palmy days of the companies, when they appeared to be, and for the time were, a fourth estate in the realm, exercising an almost arbitrary sway over the public, their proceedings in the conduct of their affairs, as against the public, were always of a most imperial kind. They coveted a man's house, and they proceeded to cut it down, till stopped by the strong arm of the Court of Chancery. They coveted their neighbour's field, and forthwith dug it up, and made it a viaduct, or a station, or anything else they might happen to require, almost before he could wake up from his astonishment, and resist. They did, in fact, as unto them seemed best. It was, however, but part of this magnificent scheme of universal aggression and domination, to dazzle the public with the appearance of unbounded resources; and the shareholders in railroad companies, rejoicing in their power and importance—rejoicing in their then brilliant dividends—sanctioned, if they did not actually encourage, a system of lavish law expense, which at once dazzled and terrified the public. They had, and they have, their reward.

The time has probably come when the law expenses of railroad companies must, like their other expenses, be curtailed; and there can be no doubt whatever of the practicability of the system being reformed. Mr. Macpherson recommends two things principally: the first, that companies should have a salaried law officer, just as they now have a salaried secretary—just as now the Government has its law business conducted by salaried law officers; secondly, that, if this cannot be done, the rule of companies should be, not to pay their solicitors' bills of costs without taxation, instead of the rule being, as it is, just the opposite. These suggestions appear sensible; but, as we have said already, we believe no difficulty will exist in practically reforming the abuses of the system of law proceedings of companies, if, and so soon as, the companies themselves see it to be their interest to reduce their law expenditure. What we contend is, that hitherto their armies of lawyers, and their lavish expenditure upon those armies, have been part of their system. They have not paid heavy law expenses blindly—they have not been entrapped by the lawyers: they thought it their interest to dazzle, and to crush all opposition; therefore they were always prompt for law; therefore they maintained their legal staff as legal staff was never before maintained. Now that their interest is different, their tactics will change, and be changed easily.

Reviews.

1. *A Treatise on the Principles of Evidence and Practice as to Proofs in Courts of Common Law; with Elementary Rules for conducting the Examination and Cross-examination of Witnesses. By* W. M. Best, *LL.B., of Gray's-inn, Barrister at Law. Small 8vo., pp.* 570. [*Sweet.*]
2. *A Treatise on the Law of Evidence, as administered in England and Ireland; with Illustrations from the American and other Foreign Laws. By* John Pitt Taylor, *Esq., of the Middle Temple, Barrister at Law. In Two Volumes, royal 8vo., pp.* 1472. [*Maxwell.*]

(*Continued from p.* 399).

That Dr. Story has the reputation, among those who read without discrimination, of being a scientific writer, ever considerate of principle, is not surprising, because he makes a point of favouring his readers with a formal discussion of every moot point; and that his works are voluminous is owing to the diffuseness of his style, and particularly to the formula after which his discussions are uniformly conducted, which is this—first to weave a thick and broad web of unprofitable generalities, like that fabric which is produced most largely by orators who have to speak against time; then to say what the civil law and the laws of most European countries have or have not prescribed upon the subject in question, or upon some other subject, citing a dozen passages from as many jurists; and to conclude with a copious citation or statement of English and American authorities, of which, if the reader has patience to verify them, he seldom finds one half to be in point. Our limits are ill adapted to the demonstration of an anatomy so unwieldy, and we must

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content ourselves with a single fragment—from the Commentaries on Partnership.

To the hackneyed topic of the constitution of partnership as to third persons, 105 pages are devoted. (Commentaries on Partnership, 46 et seq., 2nd ed.) The principal question under this head, as our readers know, is, as to what amounts to a participation of profits sufficient to render the participator liable to third persons. Story cites, by way of leading case or pole star, Lord Eldon's well-known dictum in *Ex parte Hamper*, (17 Ves. 404), which we may safely say has never been followed, for the same reason that we cannot say it has ever been overruled, because it has never been understood:—"The cases have gone further, to this 'nicety, upon a distinction so thin that I cannot state 'it as established upon due consideration, that if a 'trader agrees to pay another person, for his labour in 'the concern, a sum of money, even in proportion to the 'profits, equal to a certain share, that will not make 'him a partner; but if he has a specific interest in the 'profits themselves, as profits, he is a partner." (17 Ves. 404). Lord Eldon was then considering the question as to the existence of partnership between the parties themselves, and what he meant we do not profess to know. On a subsequent day he stated the same distinction as applicable to the question of liability to creditors:—"Thomas is clearly a partner as 'to third persons; whether as between him and Rogers 'is a very different consideration. The ground as to 'third persons is this—it is clearly settled, though I re-'gret it, that if a man stipulates, that, as the reward of 'his labour, he shall have, not a specific interest in the 'business, but a given sum of money, even in pro-'portion to a given quantum of profits, that will not 'make him a partner; but if he agrees for a part of 'the profits, as such, giving him a right to an account, 'though having no property in the capital, he is, as to 'third persons, a partner; and, in a question with third 'persons, no stipulation can protect him from loss." (17 Ves. 412). Here we have two propositions identical in everything except this—that the first relates to partnership inter se, and the second to partnership quoad strangers. Now, as, wherever there is a partnership between the parties, there is a joint liability to creditors, we cannot help suspecting that Lord Eldon, for once, committed a blunder, and having first enounced a rule, which is rather inconclusively expressed than incorrect, as to partnership inter se, adopted it as governing all questions of liability to creditors. However this may be, it is clear, first, that the cases which Lord Eldon asserted to have established his unintelligible rule, existed nowhere but in his imagination; (see Collyer on Partn. 24, 2nd ed.; Bisset on Partn. 13); secondly, that *Ex parte Hamper* and *Ex parte Rowlandson*, (1 Rose, 416), like many other cases to be found in the Chancery reports, from 8 Vesey down to 3 Russell, did not decide the point discussed in them; and, thirdly, that no writer of any ability has ever pretended even to understand, much less to approve of, Lord Eldon's rule. Our commentator, however, thus amplifies and thickens the Eldonian fog:—"But however nice the distinction 'may be in itself, and however difficult it may be suc-'cessfully to apply it to the circumstances of particular 'cases, it is by no means clear that there is not a very 'just and satisfactory foundation on which it may well 'rest. The question in all this class of cases is, first, 'to arrive at the intention of the parties inter se; and, 'secondly, if between themselves there is no intention 'to create a partnership either in the capital stock or in 'the profits, whether there is any stubborn rule of law 'which will, nevertheless, as to third persons, make a 'mere participation in the profits conclusive that there 'is a partnership. If there is any such rule of law, the 'next inquiry is as to the nature, and foundation, and 'true extent thereof. Now, it is incumbent upon those 'who insist that a partnership exists between the par-'ties, as to third persons, by mere operation of law, in 'opposition to their own intention, to establish, that in 'the given case, under all the circumstances, there is 'such a rule, and that it is strictly applicable." [A rule in a case, under all the circumstances, and strictly applicable?] "What, then, is the rule of law relied on 'for the purpose? It is said that the true criterion is, 'whether the parties are to participate in profit, or, 'according to the language used on another occasion, '"every man who has a share in the profits of a trade 'ought also to bear his share of the loss as a partner.' In 'a just sense, this language is sufficiently expressive of 'the general rule of law, but it is assuming the very point 'in controversy to assert, that it is universally true, or 'that there are no qualifications, or limitations, or ex-'ceptions. On the contrary, the very cases alluded to 'by Lord Eldon, in the clearest terms, establish that 'such qualifications, limitations, and exceptions do exist, 'and are either contemporaneous with the promulgation 'of the general rule, or are necessary to its just appli-'cation and use." [Where are those cases?] "It is, 'therefore, far from being universally true, that a mere 'participation in the profits constitutes the party a part-'ner; at most, it is only true sub modo. Indeed, as an 'original question, it might admit of very grave doubt 'whether it would not have been more convenient, and 'more conformable to true principles as well as to public 'policy, to have held, that no partnership should be 'deemed to exist at all, even as to third persons, unless 'such were the intention of the parties, or unless they 'had so held themselves out to the public. But the 'common law has already settled it otherwise, and 'therefore it is useless to speculate upon the subject." Let us pause here for breath, and also to remark, that our author's true admirers (as distinguished from those who praise by rote) must be those who like that writer best with whom they can go furthest at the least expense of thought. In the next paragraph we are of course told what the Roman law and modern foreign laws say on the subject; and then we come to this proposition, that, "if the participation in the 'profits can be clearly shewn to be in the character of 'agent, (as a mere compensation for labour and ser-'vices), then the presumption of partnership is re-'pelled"—a proposition which he lauds, not only as being strictly agreeable to justice and policy, but also as harmonising *all* the cases with each other and with common sense. He then proceeds to cite, and in some instances to state, the cases so harmonised. This statement we cannot extract, but we may observe that it includes *Hesketh* v. *Blanchard*, (4 East, 144); *Smith* v. *Watson*, (2 B. & C. 401); *Dixon* v. *Cooper*, (2 Wils. 40); *Benjamin* v. *Porteus*, (2 H. Bl. 590); *Gibbons* v. *Wilcox*, (2 Stark. 45); *Ex parte Watson*, (19 Ves. 461); *Green* v. *Burley*, (2 Scott, 164); *Mair* v. *Glennie*, (4 Mau. & S. 240); *Perrot* v. *Bryant*, (2 You. & C. 61); *Cheap* v. *Cramond*, (4 B. & Ald. 663); *Wish* v. *Small*, (1 Camp. 331, note); *Wilkinson* v. *Frazier*, (4 Esp. 182); *Bond* v. *Pittard*, (3 Mee. & W. 357); *Meyer* v. *Sharpe*, (5 Taunt. 74); *Ex parte Langdale*, (18 Ves. 300); *Farrant* v. *Copeland*, (2 Bing. 170); *Hopkinson* v. *Smith*, (1 Bing. 13); *Tench* v. *Roberts*, (6 Mad. 145); *Geddes* v. *Wallace*, (2 Bligh, 270); *Peacock* v. *Peacock*, (2 Camp. 45); *Coppard* v. *Page*, (Forr. 1); and *Gilpin* v. *Enderby*, (5 B. & Ald. 954). We are almost afraid to add—the assertion seems so incredible—that the question of partnership quoad third persons did not arise in any one of these cases, which are authorities exclusively on the question of partnership as between the parties themselves. How much of this mis-citation is to be attributed to mere incapacity, and how much to a practice, in which the learned commentator greatly indulged, of citing his authorities at second-hand, with-

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out acknowledgment*, and even from the ordinary Digests, it is not worth while to discuss. The only other English cases cited in support of Lord Eldon's rule, and the commentator's explanation, are *Withington* v. *Herring*, (3 Moo. & P. 30); *Ex parte Digby*, (1 Deac. 341); *Ex parte Hodgkinson*, (19 Ves. 29); *Saville* v. *Robertson*, (4 T. R. 720); and *Ex parte Gellar*, (1 Rose, 297), in none of which was the existence of a partnership in dispute; and *Waugh* v. *Carver*, (2 H. Bl. 235); *Grace* v. *Smith*, (W. Bl. 998); *Dry* v. *Boswell*, (1 Camp. 329); and *Ex parte Langdale*, (18 Ves. 300). Now, *Waugh* v. *Carver* decided that an agreement to share profits created a liability as partners. *Grace* v. *Smith* decided that a *fixed annuity* to a partner who retires, and lends money to the continuing partner at interest, does not make the retiring partner liable to new creditors. Of *Ex parte Langdale*, all that appears is, that an issue was directed; and the Lord Chancellor, in directing it, said, that the question was, whether there was an agreement to share profits; as to which the evidence was conflicting. Lastly, in *Dry* v. *Boswell*, the owner of a lighter agreed with the man who worked her to pay him half of her *gross* earnings, which, Lord Ellenborough held, was very different from a participation in *net* profit, and was nothing more than a mode of paying him for his labour. Such is Dr. Story's explanation of Lord Eldon's famous rule, and such are the authorities by which he supports it. We need scarcely add, that the rule never existed but in Lord Eldon's imagination. We cannot part with the subject without citing, as an instance of this compiler's accuracy, the following passage from p. 109:—

"It is upon a similar ground, that, where a person is 'to receive an annuity of a *fixed sum* out of the profits 'of a trade or business, he is held to be a partner as to 'third persons; for in such a case the annuity will be 'payable out of the net profits, and will rise and fall 'according to the profits, if there be not enough profits 'to pay the annuity; and there will also be a lien on 'the profits therefor."

Of the author of the Commentaries on American Law we have not to speak so severely. He has not written so many books, nor are his pretensions so lofty as those of Dr. Story; and he seems to have collected his materials with greater industry and research, and to cite authorities more honestly, than the latter. His work is a meritorious compilation, and very useful for reference on American law; but we seek in it in vain for scientific accuracy, elucidation of principle, or correction of error.

Thus, in the 40th lecture, on Bailment, we are told that "there are five species of bailment, according to 'Sir W. Jones, in his correction of Lord Holt's enu-'meration of the different sorts of bailment:—

"1. *Depositum*, or a naked deposit without reward.
"2. *Mandatum*, or commission, which is gratuitous, 'and by which the mandatory undertakes to do 'some act about the thing bailed.
"3. *Commodatum*, or loan for use without pay, and 'when the thing is to be restored in specie.
"4. A pledge, as when a thing is bailed to a creditor 'as a security for a debt.
"5. *Locatio*, or hiring for a reward."

Let us see how Sir W. Jones, whom the commentator follows because he has a fresher reputation than Holt, has corrected the judge. In *Coggs* v. *Barnard*, (Ld. Raym. 909), Lord Holt makes six kinds of bailment, of which it is sufficient to say that the third is, "when goods are left with the bailee to be used by him for hire, this is called locatio et conductio;" and the fifth is, "when the goods or chattels are delivered to be carried, or something is to be done about them for a reward, to be paid by the person who delivers them to the bailee." Upon this, Sir W. Jones remarks, that, "in fact, his fifth section is no more than a branch of his third; and he might with equal reason have added a seventh, since the fifth is capable of another subdivision. I acknowledge, therefore, but five species of bailment." The amendment, then, consists in placing together, as specifically undistinguishable, the act of the man who borrows a cab for the purpose of driving in the park, with that of the painter who takes it home for the purpose of restoring its splendour. We believe, that, with the exception of Chancellor Kent, no writer, pretending to originality, has cited this "correction" without appending to it some sort of note of admiration.

To take an example of a more practical kind, no less than twenty-seven pages (2 Comm. 514 et seq., 6th ed.) are devoted to the discussion of the laws of England and of America as to the effect of the stat. 13 Eliz. c. 5, and the corresponding American acts, on a sale or mortgage of goods without delivery of possession; and individual cases are cited and commented upon to a degree of diffuseness very unsuitable to the design of the work. The question is styled "vexatious," and we, who always thought our own law on the subject to be tolerably clear and settled, are told that "it has be-'come difficult to determine when the circumstance of 'possession not accompanying and following the deed, 'is, per se, a fraud in the English law, or only pre-'sumptive evidence of fraud resting upon the facts to be 'disclosed at the trial." "It is certainly," adds the commentator, "nothing more, if the purchaser was not a 'creditor at the time, and the goods were under execu-'tion, and the transaction was notorious, and not, in 'point of fact, either clandestine or fraudulent." We trust that our law is at least somewhat more precise than this last sentence, and furnishes some other description of a bonâ fide sale than this, "that it is not, 'in point of fact, either clandestine or fraudulent." In a subsequent page we are told, that "the conclusion 'from the more recent English cases would seem to be, 'that though a continuance in possession by the vendor 'or mortgagor be primâ facie a badge of fraud, if the 'chattels sold or mortgaged be transferable from hand 'to hand, yet the presumption of fraud arising from 'that circumstance may be rebutted by explanations, 'shewing the transaction to be fair and honest, and 'giving a reasonable account of the retention of the pos-'session. The question of fraud arising in such cases 'is not an absolute inference of law, but one of fact for 'a jury; and if the personal chattels savour of the real-'ty—as, for instance, the engines, utensils, and ma-'chinery belonging to a manufacturing establishment '—no presumption of fraud will arise from the want of 'delivery."

Now, we need scarcely remind our readers, that the rules of law on this subject are—1. That an assignment of goods is not invalidated by the statute of Elizabeth, if the best transfer of possession is made that the nature of the goods and of the transaction admits of; so that, where a manual transfer is not made, a transfer of the *indicia* of ownership, according to the usage of a particular trade, is sufficient. 2. That if goods are assigned by way of security, and by the terms of the contract the mortgagor is to retain the possession until a certain day, or until demand, his possession accordingly does not invalidate the security under the statute of Elizabeth, although the transaction has no pretension to be called "fair and honest," within the meaning of the framers of that statute. 3. That the exception of *chattels* incapable of manual transfer, and of *fixtures* which savour of the realty, from the general requisition as to actual delivery, depends upon entirely different principles, the former being protected because delivery is not to be expected, and the latter because things which savour of the realty are held by *title*, and not by posse-

* See a striking instance pointed out by Mr. Bisset, (11 Jarm. Conv. 22, 3rd ed.)

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sion. The distinction between the effect of the statute of Elizabeth, and of the order and disposition clause in the Bankrupt Act, is cardinal; yet the commentator cites the reasoning of the Court in *Ryall* v. *Rowles* (1 Ves. 348; 1 Atk. 165) in illustration of the former statute.

London Gazettes.

TUESDAY, December 25.

BANKRUPTS.

CHARLES WYNNE DAVIES, Brownlow-street, Holborn, Middlesex, licensed victualler, dealer and chapman, Dec. 31 at 1, and Jan. 29 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Linklaters, 1, Charlotte-row, Mansion-house.—Petition dated Dec. 10.

JOHN PYM, Broad-street, London, merchant, dealer in minerals, dealer and chapman, Jan. 7 at half-past 11, and Feb. 11 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Bolden, 44, Craven-street, Strand.—Petition filed Dec. 19.

ALARIC ALEXANDER WATTS, Berners-street, Middlesex, printer, bookseller, and newspaper proprietor, dealer and chapman, Jan. 10 and Feb. 7 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Bolden, 44, Craven-street, Strand.—Petition dated Dec. 19.

HERMAN WREDE, Kingsland-place, Kingsland-road, Middlesex, pianoforte and musical instrument maker, music-seller, and stationer, Jan. 5 at half-past 12, and Feb. 9 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wickings, 3, Finsbury-terrace, City-road.—Petition dated Dec. 21.

JOHN FENTON, Avery-row, Bond-street, Middlesex, baker, Jan. 5 at 1, and Feb. 9 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Pain & Hatherly, 5, Gresham-street, London.—Petition dated Dec. 14.

RICHARD VERNEY, Stow-in-the-Wold, Gloucestershire, veterinary surgeon, cowleech farrier, druggist, dealer and chapman, Jan. 1 and Feb. 5 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Dupleix, 61, Lincoln's-inn-fields.—Petition dated Dec. 11.

GEORGE EDWARD INGER, Nottingham, druggist, Jan. 11 and Feb. 8 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Patchitt, Nottingham; Clarke, 29, Bloomsbury-square, London.—Petition dated Dec. 6.

HENRY LOWCOCK, Raddon Court Thorverton, Devonshire, dealer in artificial manures and agricultural implements, farmer, dealer and chapman, Jan. 4 at 12, and Feb. 5 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Tanner, Crediton; Stogdon, Exeter.—Petition dated Dec. 8.

Meetings.

John Burgess, Liverpool, merchant, Jan. 4 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*Joseph Robinson*, Maldon-road, Haverstock-hill, Middlesex, builder, Jan. 7 at 11, Court of Bankruptcy, London, last ex.—*John Carter*, Liverpool, merchant, Jan. 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Hague*, *Samuel Hague*, and *William Shatwell*, Manchester, commission agents, Jan. 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Brook*, Manchester, and Goldsmith-street, London, stuff merchant, Jan. 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Hudson* and *James Broadbent* the younger, Gale, near Littleborough, and Manchester, calico printers, Jan. 7 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 16 at 11, fin. div.—*Smith Hastings*, Lime-street, London, wine merchant, Jan. 15 at 11, Court of Bankruptcy, London, div.—*John Francis Knobel*, Charles-street, Berkeley-square, Middlesex, wine merchant, Jan. 16 at 12, Court of Bankruptcy, London, div.—*Francis Jenkinson*, Foubert-place, Regent-street, Middlesex, baker, Jan. 16 at 11, Court of Bankruptcy, London, div.—*Isaac Solly* and *Isaac Solly* the younger, St. Mary Axe, London, merchants, Jan. 15 at 12, Court of Bankruptcy, London, div. sep. est. of *I. Solly*.—*William Atkinson Warwick*, Chesterton, Cambridgeshire, printer, Jan. 17 at 12, Court of Bankruptcy, London, div.—*Owen Richards*, Fleet-street, London, law bookseller, Jan. 17 at 1, Court of Bankruptcy, London, div.—*John H. Gurney*, Broad-street, Bloomsbury, Middlesex, victualler, Jan. 14 at 1, Court of Bankruptcy, London, div.—*William H. Treacher*, Regent-st. Quadrant, Middlesex, furrier, Jan. 18 at 12, Court of Bankruptcy, London, fin. div.—*Thos. Cooper*, New Bond-street, Middlesex, umbrella manufacturer, Jan. 18 at 1, Court of Bankruptcy, London, div.—*Robt. Gillett* the elder, Princes-street, Lambeth, Surrey, flour factor, Jan. 17 at 1, Court of Bankruptcy, London, div.—*W. Potter*, Birkenhead, Cheshire, and Liverpool, merchant, Jan. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*Geo. Prockter*, *Jos. Prockter*, and *Thomas Prockter*, Rochdale, Lancashire, cotton spinners, Jan. 16 at 11, District Court of Bankruptcy, Manchester, div. sep. est. of *Geo. Prockter*.—*James Thompson*, Manchester, Manchester warehouseman, Jan. 16 at 11, District Court of Bankruptcy, Manchester, fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Thomas Day, Commercial-road, Pimlico, Middlesex, civil engineer, Jan. 17 at 11, Court of Bankruptcy, London.—*T. Walley* and *P. W. Hardwick*, Oxford-street, Middlesex, linendrapers, Jan. 16 at 2, Court of Bankruptcy, London.—*John Fras. Knobel*, Bolton-row, Piccadilly, Middlesex, wine merchant, Jan. 16 at 11, Court of Bankruptcy, London.—*George Sturt*, Greenwich, Kent, out of business, Jan. 22 at 11, Court of Bankruptcy, London.—*Robt. Taylor*, Liverpool, ironmonger, Jan. 17 at 11, District Court of Bankruptcy, Liverpool.—*Joseph Birley*, Doncaster, Yorkshire, grocer, Jan. 19 at 12, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Thomas Knight, Bristol, silversmith.—*Geo. Marsh*, Hammersmith, and Carnaby-street, Golden-square, Middlesex, and *E. K. Marsh*, Carnaby-street aforesaid, drapers.—*T. Hills*, Hawkwell, Essex, baker.—*John Webb*, Ramsgate, Kent, dealer in music.—*S. A. Eyre*, Fitzroy-square, Middlesex, apothecary.—*F. D. Lewis*, Castle-court, Birchin-lane, London, and Oxford-street, Middlesex, printer.—*Jabez S. Ramskill*, Great Dover-road, Southwark, Surrey, dealer in rice.—*Chas. E. Wilson* and *Henry Wilson*, Rhosymedre, Ruabon, and Cefn Maur, Denbighshire, grocers.—*William S. More*, Liverpool, sharebroker.

Partnerships Dissolved.

Thos. Rodgers and *Wm. Pagden*, King-street, Cheapside, London, attornies and solicitors.—*Richard Barnes* and *James Kirby*, Barnard Castle, Durham, attornies at law and solicitors.

Scotch Sequestrations.

Peter Wilson, Thurso, writer to the signet.—*Geo. Oliver Campbell*, Edinburgh, publisher.—*Daniel Macrobie*, Bridge of Allan, Stirlingshire, paper manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Terry, East Brent, Somersetshire, baker, Jan. 10 at 2, County Court of Somersetshire, (Weston-super-Mare), at Axbridge.—*John Lancaster*, Weston-super-Mare, Somersetshire, shoemaker, Jan. 10 at 9, County Court of Somersetshire, at Weston-super-Mare.—*Thomas Sage*, Weston-super-Mare, Somersetshire, auctioneer, Jan. 10 at 9, County Court of Somersetshire, at Weston-super-Mare.—*Chas. W. Phippen*, Cheltenham, Gloucestershire, bookseller, Jan. 22 at 10, County Court of Gloucestershire, at Cheltenham.—*Frederick Braine*, Neath, Glamorganshire, baker, Jan. 5 at 10, County Court of Glamorganshire, at Neath.—*James Collins Purchase*, Cardiff, Glamorganshire, carver, Jan. 8 at 10, County Court of Glamorganshire, at Cardiff.—*John Hewitt Norton*, Liverpool, saddler, Dec. 31 at 10, Liverpool District County Court, at Liverpool.—*Joseph Lyons*, Liverpool, grocer, Dec. 31 at 10, Liverpool District County Court, at Liverpool.—*Charles Rayfield* the younger, Ryarsh, near West Malling, Kent, wheelwright, Jan. 8 at 12, County Court of Kent, at Maidstone.—*Edward Hopkin*, Ely, Glamorganshire, out of business, Jan. 8 at 10, County Court of Glamorganshire, at Cardiff.—*Richard Bennett*, Little Dean, Gloucestershire, retailer of beer, Jan. 11 at 10, County Court of Gloucestershire, at Newnham.—*Thomas Butler*, Alcester, Warwickshire, grocer, Jan. 25 at 9, County Court of Warwickshire, at Alcester.—*John Morrish*, Cruwys-Morchard, Devonshire, shoemaker, Jan. 17 at 10, County Court of Devonshire, at Tiverton.

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The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 8 *at* 11, *before Mr. Commissioner* HARRIS.

George Britton Russell, Tottenham-court-road, Middlesex, clerk in the Inland Revenue-office, Somerset-house.—*Thomas Chambers*, Houndsditch, London, shopman.—*Thos. Lindsey Green*, Rose-st., Newgate-st., London, butcher.—*John Morris*, Spring-st., Portman-square, Middlesex, dealer in general stores.—*John Dearing*, Holywell-lane, Shoreditch, Middlesex, undertaker.—*Jas. Harris*, Allsop-place, Regent's-park, Middlesex, dairyman.—*Jonathan Froud*, Park-st., Grosvenor-square, Middlesex, butler.—*John Hewett*, Thomas-street, Clerkenwell, Middlesex, grocer.—*Robert Anderson Rust*, Margaret-st., Cavendish-square, Middlesex, musical composer.—*Michael Puddefoot*, Little Merton-terrace, Pulteney-street, Barnsbury-road, Islington, Middlesex, dairyman.

Jan. 9 *at* 10, *before Mr. Commissioner* LAW.

Philip Rose, Rose-terrace, Jamaica-level, Bermondsey, Surrey, builder.

Jan. 10 *at* 11, *before the* CHIEF COMMISSIONER.

Wm. Goddard, London-road, Southwark, Surrey, greengrocer.—*Anne Gambier*, widow, Brighton-terrace, Brixton, Surrey, laundress.—*Joseph Duncan*, Stratford, Essex, coach-trimmer.

Saturday, Dec. 22.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Hugh Hughes, Gwernddyfrgi Llanycil, Merionethshire, cattle drover, No. 71,690 C.; John Jones and John Parry, assignees.—*Charles Gill*, Devereux-court, Temple, Middlesex, grocer, No. 60,993 T.; Jesse Lowe, assignee.—*Samuel Nash*, Herbert-street, Hoxton, Middlesex, timber dealer, No. 61,093 T.; James Williams, assignee.—*J. Dailey*, Doric-cottage, Old Ford, Bow, Middlesex, currier, No. 61,057 T.; William Hinckley Webb, assignee.—*Harry Hitchcock*, Oxford, chemist, No. 71,655 C.; William Weotten Undershell, assignee.—*William Gray Cruchley*, Brighton, Sussex, gentleman, No. 61,102 T.; Samuel Charles Bennett, assignee.—*Henry Wellington Alger*, Ashton-under-Lyne, Lancashire, veterinary surgeon, No. 67,341 C.; John Stevenson, new assignee, in place of John Kirk, deceased.

Saturday, Dec. 22.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Richard Rockford, George-st., Hammersmith, Middlesex, bird catcher: in the Debtors Prison for London and Middlesex.—*Robert Justice*, Portland-place South, Clapham-road, Surrey, coal merchant: in the Debtors Prison for London and Middlesex.—*John Collins* the younger, Water-lane, Broadway, London, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*John Woods Lettis*, Nelson-square, Blackfriars-road, Surrey, clerk in the Money Order Department of the General Post-office: in the Debtors Prison for London and Middlesex.—*Thomas Gamble*, Basing-lane, London, plumber, painter, and glazier: in the Debtors Prison for London and Middlesex.—*Thomas Richards*, Brewer-st. North, Goswell-road, Middlesex, zinc worker: in the Debtors Prison for London and Middlesex.—*Samuel West Alabaster*, Tabernacle-walk, Finsbury, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*James Pitcher*, Raven-row West, South-st., Mile-end-road, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Adam J. Kopsch*, Wharton-street, Pentonville, Middlesex, silk broker: in the Debtors Prison for London and Middlesex.—*Solomon M. Lloyd*, Beak-st., Regent-st., Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*Samuel Greenfield*, St. Mary-sq., Lambeth, Surrey, commercial traveller: in the Gaol of Horsemonger-lane.—*Henry J. Newark*, Powel's-row, Richmond, Surrey, in no trade: in the Queen's Prison.—*Henry A. Thorpe*, George-st., Old Kent-road, Kent, omnibus proprietor: in the Debtors Prison for London and Middlesex.—*George West*, Great Leonard-street, Shoreditch, Middlesex, baker: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Christopher J. Noble, Ringwood, Hampshire, attorney at law: in the Queen's Prison.

(On their own Petitions).

Samuel David, Long Sutton, near Langport, Somersetshire, farmer: in the Gaol of Wilton.—*Charles Ellison* the elder, Hulford-hall, Plumbley, near Northwick, Cheshire, labourer: in the Gaol of Chester.—*Alfred Freeman*, Ipswich, Suffolk, out of business: in the Gaol of Ipswich.—*Levi Harper*, Oldbury, Worcestershire, miner: in the Gaol of Worcester.—*Edward Lloyd*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Thomas Ollis*, Everton, Liverpool, cart owner: in the Gaol of Lancaster.—*John Robinson*, Habergham Eaves, near Burnley, Lancashire, patten maker: in the Gaol of Lancaster.—*Isaac Royse*, Manchester, grocer: in the Gaol of Lancaster.—*James Cox*, Solihull Lodge-commom, near Birmingham, labourer: in the Gaol of Coventry.—*Thos. Longbottom*, Halifax, Yorkshire, beer-shop keeper: in the Gaol of York.—*John Nelson*, Sunderland, Durham, dealer in ale: in the Gaol of Durham.—*William C. Spencer*, Sunderland, Durham, commission agent: in the Gaol of Durham.—*Robert Hornsby*, Claypath, Durham, grocer: in the Gaol of Durham.—*Thomas H. Turner*, Longford, Gloucestershire, cooper: in the Gaol of Gloucester.—*Richard Watkins*, Ross, Herefordshire, wine merchant: in the Gaol of Hereford.—*Elizabeth Wyatt*, Torquay, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*Wm. Sauser*, St. Helen's, Ipswich, Suffolk, chemist: in the Gaol of Ipswich.—*Thomas Gibbs*, Bulley, near Gloucester, Gloucestershire, butcher: in the Gaol of Gloucester.—*John Medcalf*, Boeking-end, Essex, butcher: in the Gaol of Essex.—*Wm. J. Thomas*, Liverpool, extra tide-waiter: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 9 *at* 10, *before Mr. Commissioner* LAW.

John B. Carruthers, Grote's-place, Blackheath, Kent, land agent.—*Thomas Hale*, Myddleton-st., St. John-street-road, Middlesex, currier.—*Robt. Thompson*, late of the ship Ariadne, lying in the St. Catherine's Docks, Middlesex, master mariner.—*Charles Warry*, Johnson-pl., Harrow-road, Paddington, Middlesex, carpenter.

Jan. 10 *at* 10, *before the* CHIEF COMMISSIONER.

John A. G. Smith, Bouverie-st., Fleet-st., London, out of business.—*James Pitcher*, Raven-row, South-st., Mile-end-road, Middlesex, builder.—*John W. Lettis*, Nelson-square, Blackfriars-road, Surrey, clerk in the General Post-office, London.—*Thomas Saunders*, High-street, Woolwich, Kent, shopman to a grocer.—*George K. Pollock*, Essex-st., Strand, Middlesex, attorney.

Jan. 10 *at* 11, *before Mr. Commissioner* PHILLIPS.

James Elles, Foster-lane, Cheapside, London, baker.—*F. Wiseman*, Gloucester-place, Chase-side, Enfield, Middlesex, carpenter.—*Thomas Edenborough*, Enfield, Middlesex, wine merchant.—*Jonathan Thompson*, Kensington-park-road, Notting-hill, Middlesex, paper stainer.—*James T. Atkins* the younger, Deverill-st., Dover-road, Surrey, out of business.—*Abraham Wilkinson*, Latimore-road, Shepherd's-bush, Middlesex, bricklayer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, *Jan.* 8.

Edwin Chapman, Chatham, watchmaker.

At the County Court of Gloucestershire, at GLOUCESTER, *Jan.* 14 *at* 10.

John Pullen, Upton, Hawkesbury, licensed victualler.—*Thomas H. Turner*, Lougford, cooper.

At the County Court of Somersetshire, at TAUNTON, *Jan.* 8.

James Hoare, Brislington, near Bristol, master mason.—*John Ireland*, Queen Charlton, near Bath, clerk.—*Samuel David*, Long Sutton, near Langport, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Gowdy, master in the Navy, Ingledew's, Newcastle-upon-Tyne: 2*s.* 10*d.* in the pound, (in addition to former dividends of 12*s.* 4*d.*)

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FRIDAY, December 28.

BANKRUPTS.

HENRY SMITH the younger, South Ockendon, Essex, farmer, dealer and chapman, Jan. 9 and Feb. 8 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Rawlings, Romford, Essex, and 7, John-street, Bedford-row.—Petition filed Dec. 24.

JOHN WILLIAM JACKSON, Colchester, Essex, coal merchant, dealer and chapman, Jan 5 and Feb. 14 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Abell, Colchester; Bull, 25, Ely-place, Holborn.—Petition dated Dec. 17.

BENJAMIN BROOK, Ixworth, Suffolk, tailor, draper, dealer and chapman, Jan. 10 at 12, and Feb. 18 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Teague, 5, Crown-court, Cheapside.—Petition dated Dec. 17.

Meetings.

Robert Jones, Castle-street, Holborn, London, commission agent, Jan. 7 at 11, Court of Bankruptcy, London, last ex.—*Charles Johns*, Great Queen-street, Lincoln's-inn-fields, and Kirby-street, Hatton-garden, Middlesex, fixture dealer, Jan. 12 at 11, Court of Bankruptcy, London, last ex.—*Henry Blain* and *Charles Thomas Pearce*, Vauxhall-gardens, Vauxhall, Surrey, wine merchants, Jan. 11 at 12, Court of Bankruptcy, London, last ex.—*William Elliott*, Freeling-street, Caledonian-road, Islington, Middlesex, baker, Jan. 11 at 11, Court of Bankruptcy, London, last ex.—*Thomas Chambers*, Roehampton, Putney, Surrey, and Kingsland-road, West Hackney, Middlesex, baker, Jan. 11 at 1, Court of Bankruptcy, London, last ex.—*Frederick Barford*, St. Alban's, Hertfordshire, straw plait maker, Jan. 14 at 11, Court of Bankruptcy, London, last ex.—*Reuben Michael*, Boulogne-sur-Mer, Republic of France, general merchant, Jan. 11 at 2, Court of Bankruptcy, London, last ex.—*John Morrison*, Craven-street, Strand, Middlesex, tailor, Jan. 14 at 12, Court of Bankruptcy, London, last ex.—*George Chapman*, Liverpool, victualler, Jan. 11 at 11, District Court of Bankruptcy, Liverpool, last ex.—*Ann Vernon*, Ashton-in-Mackerfield, Lancashire, shopkeeper, Jan. 10 at 11, District Court of Bankruptcy, Liverpool, last ex.—*John Tuhey*, Willow-walk, Surrey, builder, Jan. 16 at 12, Court of Bankruptcy, London, aud. ac.—*John Henderson*, Anderton's Hotel, Fleet-street, London, bookseller, Jan. 24 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Pope* and *John Buckingham Pope*, Adelaide-place, London-bridge, London, and Crigglestone, Yorkshire, tile manufacturers, Jan. 24 at 1, Court of Bankruptcy, London, aud. ac.—*Norman Bruce*, Farringdon-street, London, printer, Jan. 24 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Frederick True*, Downham Market, Norfolk, ironmonger, Jan. 24 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Edward Benton*, Tottenham-court-road, Middlesex, pawnbroker, Jan. 24 at 12, Court of Bankruptcy, London, aud. ac.—*Athaiah Eber Player*, Braintree, Essex, grocer, Jan. 24 at 12, Court of Bankruptcy, London, aud. ac.—*Richard Knight*, Albert-place, Mitcham, Croydon, Surrey, licensed victualler, Jan. 26 at 11, Court of Bankruptcy, London, aud. ac.—*William John Sage*, Great Portland-street, Middlesex, chemist, Jan. 12 at 1, Court of Bankruptcy, London, aud. ac.—*William Hardyman Colyer* and *Francis Webster*, Wood-street, Millbank, Westminster, brewers, Jan. 10 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Richard Beard*, Millman-mews, New Millman-st., Guildford-street, and Parliament-st., Westminster, Middlesex, picture-frame manufacturer, Jan. 10 at 11, Court of Bankruptcy, London, aud. ac.—*Joseph Ellis*, Pontypool, Monmouthshire, dealer in wines, Jan. 25 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Feb. 1 at 11, div.—*John Fisher*, Bristol, livery-stable keeper, Jan. 25 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Jan. 28 at 11, div.—*Wm. Potter*, Birkenhead, Cheshire, and Liverpool, Lancashire, merchant, Jan. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Francis Deflinne*, Manchester, gingham manufacturer, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Samuel Cooke*, Manchester, timber merchant, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*W. Sutton*, Stockport, Cheshire, cotton-waste dealer, Jan. 8 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Thompson*, Manchester, Manchester warehouseman, Jan. 9 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*George Prockter*, *Joseph Prockter*, and *Thos. Prockter*, Rochdale, Lancashire, cotton spinners, Jan. 9 at 11, District Court of Bankruptcy, Manchester, aud. ac. sep. est. of *Joseph Prockter*.—*Joshua Metcalfe*, New Malton, Yorkshire, corn merchant, Jan. 15 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*Charles H. Lambert*, Kingston-upon-Hull, druggist, Jan. 23 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Jan. 30 at half-past 10, div.—*Thomas Martinson Adams*, Holton-le-Beckering, Lincolnshire, corn factor, Jan. 23 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Jan. 30 at half-past 10, div.—*John Hiley*, Caistor, Lincolnshire, currier, Jan. 30 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Thomas Carter* and *George Wharton*, Gainsborough, Lincolnshire, engineers, Jan. 23 at half-past 10, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Jan. 30 at half-past 10, div.—*Isaac Argent*, Fleet-st., London, victualler, Jan. 24 at 12, Court of Bankruptcy, London, div.—*Wm. Atkinson*, Austin-friars, London, merchant, Jan. 19 at 11, Court of Bankruptcy, London, div.—*Charles C. Butterfield*, Petersfield, Southampton, banker, Jan. 22 at 12, Court of Bankruptcy, London, div.—*Lion Guilleaume*, Berners-st., Oxford-st., Middlesex, manufacturer of artificial flowers, Jan. 21 at 12, Court of Bankruptcy, London, div.—*George Burdis*, Newcastle-upon-Tyne, banker, Jan. 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Charles Tabor* and *Wm. Clarke*, Nottingham, lace manufacturers, Jan. 25 at 10, District Court of Bankruptcy, Birmingham, fin. div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Richard Knight, Albert-place, Mitcham-road, Croydon, Surrey, licensed victualler, Jan. 26 at 11, Court of Bankruptcy, London.—*Constantine W. De Bernardy*, Salisbury-square, Fleet-st., London, bill broker, Jan. 21 at 1, Court of Bankruptcy, London.—*Samuel Leggatt*, Norwich, innkeeper, Jan. 19 at half-past 11, Court of Bankruptcy, London.—*Richard Harris*, Northampton, carpenter and builder, Jan. 19 at 11, Court of Bankruptcy, London.—*John Ormsby Culyer*, Edmonton, Middlesex, gas fitter and engineer, Jan. 24 at 11, Court of Bankruptcy, London.—*John Collingwood*, Norwich, haberdasher, Jan. 18 at 12, Court of Bankruptcy, London.—*Wm. Bates*, Tithby, Nottinghamshire, horse dealer, Jan. 25 at 10, District Court of Bankruptcy, Nottingham.—*Richard Edward Saxton*, Crich, near Alfreton, Derbyshire, jeweller, Jan. 25 at 10, District Court of Bankruptcy, Nottingham.—*John Smith*, New Sleaford, Lincolnshire, wharfinger, Jan. 25 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Thos. T. Clarke, Sunderland, Durham, baker.—*S. A. Hart*, Cullum-street, Fenchurch-street, London, merchant.

Fiat Annulled.

Hugh Hill, Prospect-place, Old Kent-road, Surrey, coach broker.

Scotch Sequestrations.

Wm. Barrowman, Rawyards, grocer.—*Alexander Mackay*, Easter Ardross, Ross-shire, ironmonger.—*W. Deans*, Leith, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thos. Edwards Couch, Giant's Grave, near Britton-ferry, Glamorganshire, sailmaker, Jan. 5 at 10, County Court of Glamorganshire, at Neath.—*Howell Morgan*, Wick, Glamorganshire, maltster, Jan. 7 at 10, County Court of Glamorganshire, at Bridgend.—*Joseph Turner*, Worcester, shoemaker, Jan. 16 at 10, County Court of Worcestershire, at Worcester.—*Wm. Girdlestone*, Tilney St. Lawrence, Norfolk, plumber, Jan. 12 at 2, County Court of Norfolk, at King's Lynn.—*W. Clare*, West Lynn, Norfolk, gardener, Jan. 12 at 2, County Court of Norfolk, at King's Lynn.—*Peter Fields* the younger, King's Lynn, Norfolk, music-seller, Jan. 12 at 2, County Court of Norfolk, at King's Lynn.—*Samuel Stokes*, Dudley, Worcestershire, commission agent, Jan. 11 at 2, County Court of Worcestershire, at Dudley.—*Catherine Simmonds*, West Bromwich, Staffordshire, out of business, Jan. 16 at 1, County Court of Staffordshire, at Oldbury.—*Robert Lockie*, Hud-

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dersfield, Yorkshire, out of business, Jan. 18 at 10, County Court of Yorkshire, at Huddersfield.—*Daniel Ward*, Huddersfield, Yorkshire, beerseller, Jan. 18 at 10, County Court of Yorkshire, at Huddersfield.—*Edward King*, Brecknock, dentist, Jan. 14 at 10, County Court of Brecknockshire, at Brecknock.—*John Shenfield*, Norwich, lodging-house keeper, Jan. 17 at 10, County Court of Norfolk, at Norwich.—*Edw. Mase*, Brecknock, baker, Jan. 14 at 10, County Court of Brecknockshire, at Brecknock.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 11 *at* 10, *before Mr. Commissioner* LAW.

George Miller, Welby-terrace, Mile-end Old-town, Middlesex, notary.

Jan. 12 *at* 10, *before Mr. Commissioner* LAW.

Thomas Henry Johnson, New-end, Hampstead, Middlesex, draftsman.

Jan. 12 *at* 11, *before Mr. Commissioner* PHILLIPS.

Philip Sullivan, Shadwell Dock-street, Shadwell, Middlesex, coal whipper.—*Thos. B. Aykford*, Drury-lane, Middlesex, wheelwright.—*H. W. Grace*, Jubilee-place, Commercial-road East, Middlesex, commercial traveller.—*Thomas Tull*, Pinner, Middlesex, shoemaker.

Jan. 14 *at* 10, *before Mr. Commissioner* LAW.

J. Griffith, Dean-street, Holborn, Middlesex, glass cutter.—*Alfred Ashton Barrow*, Penton-place, Walworth, Surrey, clerk in the Money Order-office, General Post-office.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 11 *at* 11, *before Mr. Commissioner* HARRIS.

Thomas Philpott, Elizabeth-terrace, Hackney-road, Middlesex, out of business.—*Michael Francis Casanas*, Bull Inn-court, Maiden-lane, Covent-garden, Middlesex, out of business.—*Wm. Christie Stewart*, Church-terrace, Tottenham, Middlesex, warehouseman to a fringe manufacturer.—*John Charles Kernot*, Palace New-road, Lambeth, Surrey, mariner.

Jan. 11 *at* 10, *before Mr. Commissioner* LAW.

Solomon Morgan Lloyd, Beak-st., Regent-st., Middlesex, hairdresser.

Jan. 12 *at* 11, *before Mr. Commissioner* PHILLIPS.

John Collins the younger, Water-lane, Broadway, City, out of business.—*James Logie*, Great George-st., Bermondsey, Surrey, potato salesman.

Jan. 14 *at* 11, *before the* CHIEF COMMISSIONER.

George West, Great Leonard-street, Shoreditch, Middlesex, baker.

Jan. 14 *at* 10, *before Mr. Commissioner* LAW.

George Skillern, Mead's-court, Wardour-st., Soho, Middlesex, tailor.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER, *Jan.* 16 *at* 10.

Wm. Thos. Curtis, The Moors, Whistones, Claines, saddler.—*John Newbold*, Dudley, out of business.—*Wm. Humphries*, Redditch, needle scourer.—*Joseph Trow*, Netherton, pattern maker.—*Levi Harper*, Oldbury, miner.

At the County Court of Gloucestershire, at GLOUCESTER, *Jan.* 14.

Thomas Gibbs, Bulley, near Gloucester, butcher.

At the County Court of Devonshire, at the CASTLE *of* EXETER, *Jan.* 12 *at* 10.

Elizabeth Wyatt, Torquay, out of business.—*Robert Tripp*, St. Sidwell, share broker.

At the County Court of Oxfordshire, at OXFORD, *Jan.* 21.

Thomas Wilks, Tadmarton, farmer's bailiff.—*Jos. Masters*, Witney, accountant.

At the County Court of Essex, at CHELMSFORD, *Jan.* 15 *at* 12.

John Medcalf, Booking-end, butcher.

At the County Court of Durham, at DURHAM, *Jan.* 11.

Henry Mason, Woodside, near Wolviston, farmer.—*Robert Herdman*, Chester-le-street, woollendraper.—*Anthony Dawson*, Shincliffe, gardener.—*William Little*, Eggleston Abbeybridge, near Greta-bridge, toll-bar keeper.—*Wm. Baylie* the younger, Sunderland-near-the-Sea, common brewer.—*John Nelson*, Sunderland-near-the-Sea, dealer in ale.—*Wm. Collingwood Spencer*, Sunderland, commission agent.—*Robert Hornsby*, Claypath, out of business.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—John Merritt Shugar, of Portsmouth, Hampshire; George William Nalder, of Long Ashton, near Bristol, Somersetshire; George Fielding, of Dover, Kent; William Foster, of Halifax, Yorkshire; Octavius Gardner Walter, of Taunton, Somersetshire.

The Right Hon. Sir Thomas Wilde, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed Henry Moore Griffiths, Gent., of Birmingham, in the county of Warwick, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Warwick, also in and for the counties of Stafford and Worcester.

LAW.—WANTED, a Gentleman to take the MANAGEMENT of the CHANCERY BUSINESS, and assist in Conveyancing, in a Solicitor's Office west of Lincoln's-inn, where another Chancery Clerk and a Conveyancing Clerk are kept. Apply by letter, postpaid, to Y. Z., care of Messrs. Stevens & Norton, Bell-yard, Carey-street.

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The Right Hon. the Earl of Devon.
The Right Hon. the Vice-Chancellor of England.
The Right Hon. the Lord Chief Baron.
The Right Hon. Sir H. Jenner Fust, Dean of the Arches, &c.
William Wingfield, Esq., Master in Chancery.
Richard Richards, Esq., M. P., Master in Chancery.

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E. BLAKE BEAL, Secretary.

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The Jurist

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*** *The following are the Names of the Gentlemen who favour* The Jurist *with Reports of Cases argued and decided in the several Courts of Law and Equity:—*

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Privy Council	Charles Marett, Esq. of the Inner Temple, Barrister at Law.
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LONDON, JANUARY 5, 1850.

In a recent work of considerable, and we believe generally deserved, reputation, we find a passage which we conceive to be inaccurate, and we notice it because any inaccuracy in a book on the law is likely to be dangerous, in proportion to the general merit of the work. The passage to which we refer is in a recent treatise on the Law of Husband and Wife*.

"When husband and wife are separated by private arrangement, they still continue to be husband and wife, as before; for, in the great case of *Marshall* v. *Rutton*, a principle (which had been disturbed by some prior determinations) was, upon much consideration, and with great solemnity, affirmed and reiterated by the Court of King's Bench, to this effect, namely, that husband and wife cannot, by mutual agreement, change their legal characters and capacities. But, although this is undoubtedly true on the one hand, it is equally clear on the other, that a deed of separation, properly framed, will discharge both husband and wife from the performance of one of the cardinal nuptial duties—the duty of cohabitation.

"No doubt the Church Courts view this matter differently. In those courts, a deed of separation, however valid at law and in equity, is no bar to a suit instituted for restitution of conjugal rights; but if, after executing a valid deed of separation, the husband or wife were to resort to this ecclesiastical remedy, equity would interpose by injunction; otherwise the wheels of the civil and clerical jurisdictions would be locked in each other, and the business of human life could not go on.

"Such injunctions were formerly made the subject of ingenious doubts. In particular, it was insisted that equity would not enjoin where it had not concurrent jurisdiction. But there are precedents to the contrary; and, at any rate, the difficulties in question are put an end to by the late decision of the House of Lords in *Wilson* v. *Wilson*."

To these passages are appended the following notes:—

"1. In Tothill's Rep. 13, 14, no less than six different cases are mentioned of injunctions by the Court of Chancery to stay proceedings in the ecclesiastical court. (See *Hill* v. *Turner*, 1 Atk. 515; West, 195).

"2. In *The Stockton Railway Company* v. *The Leeds and Thirsk Railway Company*, (2 Phil. 670), Lord Chancellor Cottenham held, without any hesitation, that the Court of Chancery had jurisdiction to restrain a party from petitioning Parliament, although no one ever imagined that there was a concurrent jurisdiction in such a case. The injunction affects not the Court, but the party. Lord Cottenham, in this last case, said, that there could be no doubt upon the question, 'except by the same confusion of ideas which gave rise to the old discussion between Courts of law and equity, which had been so long set at rest, and which was founded on the supposition, that the injunction operated on the Court, and not on the party.'"

We will shortly review the cases bearing on this subject:—

One of the earliest cases is *Guth* v. *Guth*, (3 Bro. C. C. 614), which is frequently erroneously supposed to decide that a contract for separation will be enforced. The agreement, in that case, was enforced, as regarded a covenant by the husband to pay an annuity to the wife during the separation. No other point required decision; and though the question, whether the prin-

* "Rights and Liabilities of Husband and Wife," &c. By J. F. Macqueen, Esq., Barrister. Sweet, 1848.

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cipal agreement to live separate would be enforced by an injunction restraining proceedings in the ecclesiastical court, was mentioned, the Master of the Rolls expressly avoided deciding it. *Legard* v. *Johnson* (3 Ves. 352) only *decides*, that a deed between husband and wife simply, without the intervention of trustees, cannot be upheld against creditors. It assumes that it might be upheld, as between husband and wife, when there are trustees intervening—a point now quite clear, so far as regards *property;* but it neither decides nor assumes anything as to enforcing the principal agreement for *separation*. *Lord St. John* v. *Lady St. John* (11 Ves. 525) *decides* nothing but a question of pleading, whether matter, in an answer to a bill for delivering up a deed of separation, going to circumstances of conduct, was impertinent or irrelevant. It was held, on the peculiar framing of the bill, that it was not. Lord Eldon, according to his custom, laid down much valuable doctrine arguendo, but neither decided nor expressed an opinion that equity would enforce an agreement for separation by injunction. A very recent case, in the House of Lords, (*Jones* v. *Waite*, 9 Cl. & Fin. 101), decided, that the execution of a deed of separation by a husband was not an unlawful consideration for an agreement, by a third party, to (among other things) pay money to the husband for payment of his debts. But it did not touch the point of enforcing the *separation*.

In *Worrall* v. *Jacob*, (3 Mer. 256), Sir W. Grant enforced the subordinate agreement as to property, laying it down positively, that the Court will not enforce specifically the principal agreement; and his Honor particularly noticed and commented on the anomaly.

In *Frampton* v. *Frampton*, (4 Beav. 287), Lord Langdale also lays it down, that the Court will not enforce the principal agreement, though it will the subordinate ones, as to property.

Wilson v. *Wilson*, (1 Cl. & Fin., N. S., 538), the latest and most important case on the doctrine of deeds of separation, settles clearly, or rather treats as clear law, that the property clauses of a separation deed will be enforced, trustees being duly interposed; and it decides, that the staying of a suit, instituted by the wife for nullity, is a sufficient consideration passing to the husband to support the contract as to property. There is, it is true, a dictum as to a Court of equity restraining the husband, after he has consented to allow the wife to live separate, from suing in the ecclesiastical court for restitution; but the judgment in *Wilson* v. *Wilson* not only does not decide the point in favour of the jurisdiction, but rather guardedly avoids deciding that any such jurisdiction exists.

Thus far, then, as regards the cases directly upon separation deeds, they do not appear at all to support the doctrine laid down by the learned author whose labours we are criticising. Then, as to the authorities cited by him in the notes referred to, *Hill* v. *Turner* (1 Atk. 515) was a very peculiar case, not, as it appears to us, at all touching the present question. The husband was, at the time of the marriage, an infant ward of Court, and was entrapped into marriage by a woman of bad character, who obtained against him a decree for alimony, and sentence of excommunication; and the Court of Chancery restrained her from proceeding to enforce such decree. The marriage, and everything consequent upon it, were, therefore, a contempt of Court; and, besides, there was not any question of *separation* in the case. *The Stockton Railway Company* v. *The Leeds and Thirsk Railway Company* (2 Phil. 670) is also quite a different case from the one under consideration. That was an injunction to restrain a party from opposing a bill in Parliament, contrary to his agreement. The Lord Chancellor treated it as an agreement concerning purely private rights of property—an admitted subject of equitable jurisdiction. It must be remembered also, that what the Court was asked to do there, was merely to compel performance of his agreement by a party, who, being clearly not bound by any contract or moral duty to oppose a bill in Parliament, but free to oppose it or not, had thought fit to agree, for a consideration, not to oppose it. But when the Court is asked to enforce a contract between husband and wife for separation, it is asked to enforce an agreement made in pais in defeasance of an antecedent contract, recognised by the law as of the most solemn character, and of the highest force. The question is not one of mere technical interference with the jurisdiction of the Ecclesiastical Court, as to which there never could be any difficulty: the real difficulty is as to the jurisdiction of equity to give effect to an agreement between parties, in derogation of a preceding agreement of a more solemn kind, and of the character of which the law recognises the Ecclesiastical Court as the peculiar judge, as much as it recognises Courts of law as the peculiar judges of purely legal contracts. We may add to the foregoing observations, that we have searched in vain for any case in which a covenant for separation has been held to support an action for damages or otherwise; while in *Warrender* v. *Warrender* (2 Cl. & Fin. 488) are to be found dicta by Lords Brougham and Lyndhurst, treating it as beyond question, that a covenant not to proceed in the ecclesiastical court, to enforce cohabitation, could not be acted upon either at law or in equity; and it would be new to find the Court of Chancery granting an injunction in aid of a contract, purporting to be legal, which would not be held binding at law. On the whole, we apprehend that the present state of the authorities does not at all justify the idea, that a Court of equity would enforce a deed of separation, as to the contract for separation itself, by injunction.

The Queen has been pleased to grant unto William Wingfield, Esq., one of her Majesty's Counsel, and recently one of the Masters in the High Court of Chancery, her royal license and authority henceforth to take and use the surname of Baker, in compliance with a direction contained in the last will and testament of Richard Baker, Esq.

The Queen has been pleased to direct letters-patent to be passed under the Great Seal, granting the dignity of a Knight of the United Kingdom of Great Britain and Ireland unto William Jeffcott, Esq., Recorder of Prince of Wales Island, Singapore, and Malacca.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Alexander Francis Charles Gordon Lennox, commonly called Lord Alexander Francis Charles Gordon Lennox, for the borough of New Shoreham, in the room of Charles Goring, Esq., deceased.

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TITLE BY ADVERSE POSSESSION.

(From a Correspondent).

The case of *Doe* d. *Mary Carter* v. *Barnard* (13 Jur., part 1, p. 915) suggests some curious considerations on the effect of sects. 2 and 34 of the late Act for the Limitation of Actions and Suits relating to Real Property. In that case, John Carter, son of Robert Carter, had, by permission of his father, remained in possession, without payment of rent, from 1815, till his death, intestate, in 1834. On John Carter's death, his widow, the lessor of the plaintiff, entered, and remained in possession till her ouster by the defendant, who claimed under a mortgage in fee by Robert Carter. The lessor of the plaintiff relied on her own possession for thirteen years, and her husband's before her for eighteen years; but this was held insufficient to entitle her to recover, on the ground that her own possession was unconnected, by right of any sort, with that of her husband. The Court appeared willing to assent to the opinion, that the 34th section not merely extinguishes the old title, but gives a new right to some other person, operating as a statutory *transfer* of the right. "Probably," it was said, "that would be so, *if the same person, or several persons claiming one from the other by descent, will, or conveyance, had been in possession for the twenty years;* but the lessor of the plaintiff shewed nothing to connect her possession with that of her husband by right of any sort; and if she be right in her construction of the 34th section, the same consequence" (i. e., it seems, the transfer of the right) "would follow if twenty persons, unconnected with each other, had been in possession, each for one year, consecutively, for twenty years; yet it would be impossible to say to which of the twenty persons the 34th section has transferred the title."

Now, in this case put by the Court, the right of the former owner is certainly extinct; and if the statute do not transfer the right to any one of the twenty disseisors or adverse occupants, it follows, that there no longer exists *any* rightful title to the land in question —that no one can succeed in an action of ejectment against the person who may happen to have obtained possession; and that if that person himself be ousted, he will be equally helpless against the new disseisor: and this state of things may, it is plain, last for ever. The solution of the difficulty appears to be, that the possession of all subsequent disseisors enures for the benefit of the first, who may tack their possession, although they may not tack his; and when the first in the line is barred, the second succeeds to his position, and may avail himself of the whole length of the subsequent possession. Accordingly, in the case under consideration, the Court seems to have thought that the heir of John Carter might recover, although his ancestor had not been in possession for the full period. This, however, is not consistent with what is said in the passage above extracted from the judgment; and during the argument, Coleridge, J., is reported to have asked —apparently with reference to the question whether the heir could have recovered—"How can the title of the son be improved by the expiration of the twenty years?"

Supposing that the conclusion above suggested is generally true, it may require the limitation, that the person availing himself of the possession of subsequent disseisors, or some person through whom he claims, should have been in possession *at* [or after] *the passing of the act.* For in *Doe* v. *Thompson*, (6 Adol. & Ell. 721), where the possession of the first of the adverse claimants, (a tenant at will), after having lasted upwards of twenty years, determined, *before the passing of the act,* by his decease, it was held, that his heir could not recover against his widow, who had since been in possession.

It is, however, to be observed, as affecting the bearing of *Doe* v. *Thompson* on the question under discussion, that in that case the five years given by sect. 15, in cases where the possession was not adverse at the passing of the act, had not expired, and consequently the title remained in the former owner; and on this ground the decision appears unquestionably correct. But, assuming the case to be an authority that the right cannot be transferred to a person out of possession at the passing of the act, the title may, in such cases, be vested in the person at that time in possession, (as, for instance, to the widow in *Doe* v. *Thompson*), however recent his or her occupation may have been. It seems, in all cases, an absolute necessity, where the former title is extinguished, to find some one in whom the right may vest; and therefore it is submitted, that the doctrine apparently deducible from the judgment of the Court of Queen's Bench, viz. that the statute may extinguish the right of the former owner without conferring a new right on any other person, is not law.

Q.

It would be impossible to reconcile all the dicta in *Doe* d. *Carter* v. *Barnard* with the decision. There the lessor of the plaintiff proved that her husband, having been in possession as tenant at will of the real owner for eighteen years, died in 1834, leaving several children, and leaving the lessor of the plaintiff in possession, which possession she retained until a short time before the action was brought, when she was dispossessed by the defendant, who claimed under a mortgage made to him by the former owner in 1829. The Court held, that the lessor of the plaintiff could not recover, because she proved too much. Had she proved merely her own possession at the time of the ouster, she would have proved a primâ facie title; but, in the words of Patteson, J., "she did more, for she proved the possession of her husband before her for eighteen years, which was primâ facie evidence of his seisin in fee; and as he died in possession, and left children, it was primâ facie evidence of the title of his heir, against which the lessor-of-the-plaintiff's possession for thirteen years could not prevail; and therefore she has, by her own shewing, proved the title to be in another, of which the defendant was entitled to take advantage." It was assumed that the title of the former owner had been barred by the possession of the husband of the lessor of the plaintiff and that of the lessor of the plaintiff, the point having been so decided in a former case. (*Doe* d. *Goody* v. *Carter*, 11 Jur., part 1, p. 285). This was a mistake, because the mortgage of 1829 had converted the possession of the husband from a tenancy at will to a tenancy at sufferance, so as to exclude the possession prior to that event from the computation of time; the 7th section of the statute not applying to a tenancy at will expired before the act passed. (*Doe* d. *Evans* v. *Page*, 8 Jur., part 1, p. 999; *Doe* v. *Bold*, 12 Jur., part 1, p. 350). This erroneous assumption, however, was not material to the judgment, because the alternative title of the true owner was also stated by the plaintiff. But the judgment, instead of being opposed to the construction contended for by our correspondent, appears to us to have been expressly founded on it, the lessor of the plaintiff having been held not to be entitled, because the heir of the person in possession when the twenty years began to run was entitled. We think there can be no doubt that this is the right construction, but we think also that it is irreconcilable with the very decision which the Court founded upon it in *Doe* v. *Barnard.* The effect of that decision is this—that if A., the true owner, allows B. to hold possession as tenant at sufferance, and B. is dispossessed by C., a stranger, B. cannot recover possession from C. so long as A.'s title remains unbarred, but as soon as A.'s title is barred, B. may recover. Under the old law of limitation, when the remedy only and not the

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title was barred, the result would have been still more absurd. A bare possession is admitted to shew a primâ facie title, which, if unexplained, is taken to be a title in fee. The presumption of title in fee is rebutted by shewing an actual title in another person contemporaneous with that possession. How, then, can the possession of A. for eighteen years, during the whole duration of which there was an available title to the fee in another, become, after it has ceased, what it never was during its subsistence, a ground for presuming a title in A. to the fee? The case of *Allen* v. *Rivington*, (2 Saund. 110 a), relied on by the plaintiff, seems to be correct, notwithstanding the note of the learned editors; and it is confirmed by *Doe* v. *Dyeball*, (M. & M. 346); *Doe* v. *Martin*, (Car. & M. 32); and *Doe* v. *Birchmore*, (1 Per. & D. 448). The cases of *Roe* v. *Harvey* (4 Burr. 2484) and *Doe* v. *Barber*, (2 T. R. 749), cited by the editors of Saunders, are not in point. Proof that the lessor of the plaintiff was in possession before the defendant's entry, is proof of a primâ facie title; and proof that before the possession of the lessor another person, under whom the defendant does not claim, was entitled, is not inconsistent with that primâ facie title; for it may be that the lessor derived title under such former owner. Every title must have an antecedent. If the lessor of the plaintiff relies on a *title* which he proves, and not on his possession, his case is met by shewing an outstanding legal title (whether paramount or derivative is immaterial) in another, because that is inconsistent with his claim; but when he relies merely on his possession at and previous to the ouster complained of, proof of a title in a third person *prior* to his possession is not inconsistent with his claim. The decision in *Doe* v. *Barnard* is directly encountered by the case of *Doe* v. *Birchmore*, (1 Per. & D. 449), where the lessor of the plaintiff recovered, although his case shewed that he claimed adversely to the true owner, whose title had not been barred by the statute. The true rule, it is submitted, is, that as against a wrongdoer priority of possession is a sufficient title. This is quite consistent with the rule, that the plaintiff in ejectment must do more than shew a want of title in the defendant.

In his observations on *Doe* v. *Thompson* our correspondent appears to have forgotten, that where a tenancy at will has actually determined before the passing of the act, the term runs, not from the end of the first year, but from the determination of the tenancy.

Court Papers.

EQUITY SITTINGS, HILARY TERM, 1850.

Court of Chancery.

Before the LORD CHANCELLOR, *at Lincoln's Inn.*

Friday	*Jan.* 11	Appeal Motions and Appeals.
Saturday	12	(Petition-day).—Petitions & Appeals.
Monday.....	14	Appeals.
Tuesday.....	15	
Wednesday	16	
Thursday.....	17	Appeal Motions and Appeals.
Friday	18	(Petition-day).—Unopposed Petitions only and Appeals.
Saturday	19	Appeals.
Monday.....	21	
Tuesday.....	22	
Wednesday	23	
Thursday	24	Appeal Motions and Appeals.
Friday	25	(Petition-day).—Unopposed Petitions only and Appeals.
Saturday	26	Appeals.
Monday.....	28	
Tuesday.....	29	
Wednesday	30	
Thursday	31	Appeal Motions and Appeals.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS.
At the Rolls.

Friday	*Jan.* 11	Motions.
Saturday	12	Petitions in the General Paper.
Monday.....	14	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Tuesday.....	15	
Wednesday	16	
Thursday	17	Motions.
Friday	18	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	19	
Monday.....	21	
Tuesday.....	22	
Wednesday	23	
Thursday	24	Motions.
Friday	25	Pleas, Demurrers, Causes, Further Directions, and Exceptions.
Saturday	26	
Monday.....	28	
Tuesday.....	29	
Wednesday	30	Petitions in the General Paper.
Thursday.....	31	Motions.

Short Causes, Consent Causes, and Unopposed Petitions, every Saturday at the sitting of the Court.

Vice-Chancellors' Courts.

Before the VICE-CHANCELLOR OF ENGLAND, *at Lincoln's Inn.*

Friday	*Jan.* 11	Motions.
Saturday	12	(Petition-day).—Petitions (unopposed first) and Short Causes.
Monday.....	14	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	15	
Wednesday	16	
Thursday.....	17	Motions.
Friday	18	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	19	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	21	
Tuesday.....	22	
Wednesday	23	
Thursday	24	Motions.
Friday	25	(Petition-day).—Petitions, (unopposed first), Short Causes, and Causes.
Saturday	26	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Monday.....	28	
Tuesday.....	29	
Wednesday	30	
Thursday.....	31	Motions.

Before VICE-CHANCELLOR KNIGHT BRUCE, *at Lincoln's Inn.*

Friday	*Jan.* 11	Motions.
Saturday	12	Short Causes and Causes.
Monday.....	14	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	15	
Wednesday	16	Bankrupt Petitions and Causes.
Thursday.....	17	Motions.
Friday	18	(Petition-day).—Petitions.
Saturday	19	Short Causes and Causes.
Monday.....	21	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	22	
Wednesday	23	Bankrupt Petitions and Causes.
Thursday.....	24	Motions.
Friday	25	(Petition-day).—Petitions and Causes.
Saturday	26	Short Causes and Causes.
Monday.....	28	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	29	
Wednesday	30	Bankrupt Petitions.
Thursday	31	Motions.

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Before VICE-CHANCELLOR WIGRAM, *at Lincoln's Inn.*

Friday	*Jan.* 11	Motions and Causes.
Saturday	12	(Petition-day).—Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	14	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	15	
Wednesday	16	
Thursday	17	Motions and Ditto.
Friday	18	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	19	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	21	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	22	
Wednesday	23	
Thursday.....	24	Motions and Ditto.
Friday	25	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Saturday	26	Short Causes, Petitions, (unopposed first), and Causes.
Monday.....	28	Pleas, Demurrers, Exceptions, Causes, and Further Directions.
Tuesday.....	27	
Wednesday	30	
Thursday	31	Motions and Ditto.

COMMON-LAW SITTINGS, IN AND AFTER HILARY TERM, 1850.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

1st sitting .. Saturday .. *Jan.* 12, and following days, at 11.
2nd sitting.. Wednesday .. 16, and subsequent days, at 11.
3rd sitting.. Tuesday..... 29, at half-past 9 precisely (for undefended causes only).

After Term.—Friday, *Feb.* 1, at half-past 9.

A list of causes will be printed immediately; but on the uncontradicted statement of either side that a cause is too long to be tried in term, it will be withdrawn from such list, and a small number of completed and new causes will be put into the list day by day, in their usual order.

LONDON.—*In Term.*

Sitting at 10, on Wednesday, *Jan.* 30, for undefended causes, and such causes as are tried in Middlesex after term, with judgment of the term.

After Term.—Saturday, *Feb.* 2, to adjourn.

N. B.—The hours of attendance at the Marshal's Office of this Court will in future be from 11 till 5 during term and sittings, instead of from 11 to 2, and 6 to 8.

Court of Common Pleas.

In Term.

MIDDLESEX.		LONDON.	
Wednesday	*Jan.* 16	Friday	*Jan.* 18
Wednesday	23	Friday	25

After Term.

Friday	*Feb.* 1	Saturday	*Feb.* 2

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Saturday, the 2nd February, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The hours of attendance at the Marshal's Office during term, and sittings after term, will in future be from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.	LONDON.
1st sitting, Saturday, *Jan.* 12	1st sitting, Friday .. *Jan.* 18
2nd sitting, Saturday 19	2nd sitting, Friday 25
3rd sitting, Saturday 26	

After Term.

Friday	*Feb.* 1	Saturday	*Feb.* 2 (To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment, from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

COMMON-LAW CAUSE LISTS, HILARY TERM, 1850.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER MICHAELMAS TERM, 1849.

FOR ARGUMENT.

EASTER TERM, 1848.

Kent—Doe *d.* Warren & an. *v.* Brydges

HILARY TERM, 1849.

Midd.—Gadsby *v.* Estall
,, Reg. *v.* Smith & ors.
,, Same *v.* Same
,, Osterman *v.* Bateman

Tried during Hilary Term, 1849.

Midd.—Arden *v.* Sullivan
,, Doe *d.* Howe *v.* Thornton

EASTER TERM, 1849.

Midd.—Colombine *v.* Pennall
,, Gaskill *v.* Skene
,, Margetson *v.* Wright
,, Doe *d.* Morrison & ors. *v.* Glover
,, Robins *v.* Tripp
,, Bass & ors. *v.* Wills
,, Chapman *v.* Speller
,, Wakeman *v.* Lindsay
Lond.—Huntley *v.* Donovan
,, Charman *v.* Steere
,, Fussell *v.* Lewis
Hants.—Doe *d.* Commissioners of Woods and Forests *v.* Bone
Wilts.—Doe *d.* Lord Arundell & ors. *v.* Fowler
,, Reg. *v.* Inhabitants of Cricklade
Devon—Brown *v.* Coleridge
,, Drew & an. *v.* Same
,, Mayne *v.* Same
,, Hannaford *v.* Gill
Cornw.—Williams *v.* Teague
,, Doe *d.* Stevens *v.* Stevens
Somerset—Barwell *v.* Inhabs. of Hundred of Winterstoke
,, Doe *d.* Welsh & ors. *v.* Notley
Northam.—Powell *v.* Hibbert
,, Doe *d.* Hubbard *v.* Hubbard
Lincoln—Allison *v.* Draper
,, Reg. *v.* Betts
,, Same *v.* Same
Warw.—Edwards *v.* Knowles
Camb.—Moreton *v.* Tibbett
Durham—Humphries *v.* Brogden
York—Livingstone *v.* Whiting
Liv'pool—Manchester, Sheffield, and Lincolnshire Railway Co. *v.* Blinkhorne
Essex—Doe *d.* Davenish *v.* Moffatt
,, Leary *v.* Patrick
Sussex—Hurst *v.* Hurst
,, Gates *v.* Gosden
Surrey—Dimes *v.* Petley
Worcest.—Phillpotts & ors. *v.* Evers & an.
Stafford—Banks *v.* Baldwin
,, Doe *d.* Sayer *v.* Hatton
Salop—Griffiths *v.* Marcy
Monmouth—Williams & ors. *v.* James

Tried during Trinity Term, 1849.

Midd.—Page *v.* Moore
,, Johnson *v.* Clark
,, Goodman *v.* Pocock

MICH. TERM, 1849.

Midd.—Chard *v.* Fox
,, Duke of Brunswick *v.* Harmer
,, Moorwood *v.* Steere
,, Reg. *v.* Walker
,, Same *v.* Cutts
,, Farnham *v.* Thorne
,, Malpas *v.* Clements
,, Mann *v.* Walker
,, Jones *v.* Alexander
Lond.—Job *v.* Job
,, Cooper *v.* Bloxam
York—Crowther *v.* Farrer
,, Reg. *v.* Inhabitants of Lordsmere
,, Doe *d.* Witty *v.* Carr
,, Singleton *v.* Bree
Liv'pool—Harland *v.* Binks
,, Doe *d.* France *v.* Andrews
,, Mallalieu *v.* Hodgson & an.
Norfolk—Nield *v.* Ratcliffe
Herts—Austin *v.* Spear

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Essex—Baker *v.* Rask
Kent—Williams *v.* Lord Beresford
,, Beecroft *v.* Russel
Surrey—Delfose *v.* Hollis
,, Hounsfield *v.* Curtis
,, Doe *d.* Constable *v.* Stevenson
Chester—Whalley *v.* Bramwell
Dorset—Bartlett *v.* Bullen
Cornwall—Tyacke *v.* Richards
,, Same *v.* Same
Som'set—Doe *d.* Biddulph & ors. *v.* Hole & ors.
,, Melhuish *v.* Collier
Stafford—Smith *v.* Archbold
Brecon—Williams *v.* Morgan

Tried during Mich. Term, 1849.

Midd.—Hales *v.* Ferminger

SPECIAL CASES AND DEMURRERS

FOR HILARY TERM, 1850.

Those marked thus * are Special Cases—the rest are Demurrers.

STANDING FOR JUDGMENT.

*Russell *v.* Phillips
Duke of Rutland *v.* Bagshaw

FOR ARGUMENT.

*Huntley & ors. *v.* Pinto & an.
*Houlden *v.* Smith
*Bunter & an. *v.* Cresswell
Whitmore & ors. *v.* Hale & an.
Armitage *v.* Insole & an.
Thompson *v.* Ingham & an.
Meyrick & an. *v.* Anderson
Ghislin *v.* Deen
Tull *v.* Tull
Chrisp *v.* Atwell
*Wray *v.* Chapman & an.
*Bittlestone & ors. *v.* Eastern Counties Railway Co.
Adams *v.* Andrews
Stronghill *v.* Buck
Cook *v.* Field
*Knight & ors. *v.* Faith & an.
*Toller *v.* Attwood
Tims & an. *v.* Donovan
Meyer & an. *v.* Cockburn
Morris *v.* Walker
Bennett and others *v.* Batten and others
Barnes & an. *v.* Keane
*West Cornwall Railway Co. *v.* Mowatt
Staunton & an. *v.* Wood
Passenger *v.* Measam
Pollett *v.* Chesterton
Reg. *v.* Bishop of Exeter
Boyce *v.* Webb
Simpson *v.* Simpson
*Sanderson & an. *v.* Dobson & ors.
Steer *v.* Bowerman
Hutchinson *v.* North-western Railway Co.
Holmes & an. *v.* Bromfield
Chabot *v.* Lord Morpeth & ors.
Valpy & an. *v.* Oakeley
Blackford *v.* Hill
Burley *v.* Dobson
*Forster *v.* Hoggart & an.
Chrisp *v.* Atwell
Keyse *v.* Powell
*Rose *v.* Dry & an.
Parkes *v.* Smith
Davies *v.* Cary
Railston *v.* York, Newcastle, and Berwick Railway Co.
Wagstaffe *v.* Booth
Berry *v.* Huxtable & an.
Gallard *v.* Gilchrist
*Scattergood *v.* Sylvester
Reynell & an. *v.* Lane
*Daniel *v.* Morton
*Walsh *v.* Trevanion & Wife
Bambridge *v.* Wade
Pim *v.* Wilson

ENLARGED RULES

FOR HILARY TERM, 1850.

Those marked thus * are to be heard in the Bail Court.

First Day.

*Doe *d.* Bridges *v.* Roe
*Newton *v.* Nancarrow
*Ashworth *v.* Shepherd & an.
Lawrence & ors. *v.* Hughes
Marshall *v.* Dyson
Duff *v.* Chambre
*Doe *d.* Mayo *v.* Cannell
*Reg. *v.* Justices of Huntingdonshire
*Reg. *v.* Justices of Sussex
Same *v.* Harding

Second Day.

*Daintree *v.* Hurrell
*Harrison *v.* Newton
Bankin *v.* Hamilton
*In re Lands Clauses Act between Fairless & ors.
*Same *v.* Same
Reg. *v.* Davey
*Same *v.* Justices of Cambridgeshire
Same *v.* London and North-western Railway Co.

CROWN PAPER, HILARY TERM, 1850.

Surrey ..... Reg. *v.* Inhabitants of Camberwell.
Glamorganshire —— Aberdare Canal Company.
London ..... —— G. Stacy.
Hants. ..... —— Inhabitants of Basingstoke.
Middlesex .... —— Inhabitants of St. Giles-in-the-Fields.
Westmoreland —— T. H. Hobson.
Buckinghamsh. —— Edwards.
Yorkshire .... —— Inhabitants of Dalton.
Same ..... Reg. *v.* Inhabitants of East Ardley.
Cumberland .. —— Maryport and Carlisle Railway Co.
Devonshire.... —— Henry Worsley & ors.
Flintshire .... —— Inhabitants of Rhyddlan.
Yorkshire .... —— Leeds & Bradford Railway Company.
Cumberland .. —— Caledonian Railway Company.
Middlesex .... —— Whitmarsh.
Carlisle ..... —— Dixon.
Nottinghamshire—— Inhabitants of Winster.
Middlesex .... —— Inhab. of St. Matthew, Bethnal-green.
Salop ..... —— Inhabitants of Madeley.
Middlesex .. } —— Inhabitants of Whitmarsh.
London .... }
Southampton .. —— Churchwardens of St. Mary.
Same ..... —— Same.
Nottinghamshire—— Midland Railway Co.
Lichfield ..... —— Mayor &c. of Lichfield.

Court of Common Pleas.

NEW TRIALS.

MICHAELMAS TERM, 1848.

Lond.—Moss *v.* Smith
Surrey—Hamilton *v.* Cochran

HILARY TERM, 1849.

Midd.—West *v.* Baxendale

EASTER TERM, 1849.

Lond.—Kincaid *v.* Willis
,, Same *v.* Same

MICHAELMAS TERM, 1849.

Midd.—Doe *d.* Church *v.* Pontifix
,, Spear *v.* Ward
Lond.—Bell *v.* Welch
,, Boulter *v.* Brooks
,, Same *v.* Peplow
,, Smith *v.* Hamilton
,, Yates *v.* Hoppe
Suffolk—Johnson *v.* Huntingfield
Flint—Maurice *v.* Marsden
Surrey—Barnewall *v.* Sutherland
,, Same *v.* Same
Lincoln—Robinson *v.* Marquis of Bristol
Berks.—Kidgell *v.* Moor

DEMURRER PAPER.

Wednesday, Jan. 16.

Robinson *v.* Marquis of Bristol
Sterry *v.* Clifton
Navone *v.* Hadden
Temple *v.* Sleigh
Storie *v.* Bishop of Winchester
Anderson *v.* Coventry
In re Foster
Hancock *v.* York, Newcastle, and Berwick Railway Co.
Harrison *v.* Round
Tassell *v.* Cooper
Same *v.* Same
Overton *v.* Harvey
Kepp *v.* Wiggett
Howard *v.* Shepherd
Levy *v.* Moylan
Denn *v.* Williams
Eastern Counties Railway Co. *v.* Eastern Union Railway Co.
Hitchins *v.* Kilkenny & Great South-western Railway Co.
Bridger *v.* Costiff
Hutton *v.* Seyler
Preston *v.* Winter
Walker *v.* Cortes
Mayor of London *v.* Parkinson

Friday, Jan. 18.

Lomas *v.* Bradshaw
Page *v.* Newmarch

CUR. ADV. VULT.

Phillips *v.* Lewis
Croll *v.* Edge
Barnes *v.* Ward
Somerville *v.* Hawkins
Jones *v.* Broadhurst
In re Keighley *v.* Goodman
Cattlin *v.* Hills
Heyhoe *v.* Burge
Morse *v.* Same
Newton *v.* Chaplin.

Court of Exchequer.

SITTINGS—HILARY TERM, 1850.

		Banc.	*Nisi Prius.*
Friday .. *Jan.*	11	Motions of Peremptory Paper	.....
Saturday	12	Peremptory Paper and Motions	Midd. 1st Sitting
Monday	14	.....	.....
Tuesday	15	.....	.....
Wednesday....	16	Special Cases	.....
Thursday	17	Circuits chosen	.....
Friday	18	Demurrers	London 1st Sitting
Saturday.....	19	Crown Cases	Midd. 2nd Sitting

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	Banco.	*Nisi Prius.*
Monday 21	Special Cases	.....
Tuesday..... 22	Errors	.....
Wednesday.... 23	Demurrers	.....
Thursday..... 24	.....	.....
Friday..... 25	Special Cases.	London 2nd Sitting
Saturday..... 26	.....	Midd. 3rd Sitting
Monday..... 28	.....	.....
Tuesday..... 29	.....	.....
Wednesday.... 30	.....	.....
Thursday..... 31	.....	.....

NEW TRIALS.

For Judgment.

Moved Easter Term, 1847.

Lond.—Ralli *v.* Denistown

Moved Easter Term, 1849.

Maidstone—Midland Great Western Railw. Co. of Ireland *v.* Farquhar
,, Same *v.* Masterman

For Argument.

Moved Mich. Term, 1849.

Midd.—Arber *v.* Lewis
,, Nottige *v.* Ripley
Lond.—Towse *v.* Henderson
,, Croome *v.* Fairbairne
,, Noble *v.* Emmett
,, Gibson *v.* Ryan
Maidstone—Storror *v.* Harman
Lewes—Wills *v.* Murray
,, Same *v.* Robertson
Croydon—Bishop *v.* Carman
,, Jervis *v.* Aggett
,, Same *v.* Same
,, Caldwell *v.* Dawson
Leicester—Glover *v.* London & North-western Railway Co.
Hereford—Thomas *v.* Thomas
Bedford—Doe *d.* Adams *v.* Baldwin
Huntington—Bail *v.* Mellor
York—Kaye *v.* Brett
,, Wiles *v.* Woodward
Durham—Wilkinson *v.* Candlish
Newcastle—Henderson *v.* Stobart
Carlisle—Greive *v.* Melton
,, Same *v.* Same
Liv'pool—Hall *v.* Star Fire Insurance Co.
,, Bell *v.* Earl Talbot
,, Sellers *v.* Dickinson
,, Jones *v.* Evans
,, Spottswood *v.* Barrow
,, Catto *v.* Sothem
,, Bland *v.* Williams
Exeter—Doe *d.* Bailey *v.* Sloggett
,, Farley *v.* Crooch
,, Brookes *v.* Rookes
Bridgwater—Pumfrey *v.* Hawkins
,, Gilbert *v.* Martin
,, Mallett *v.* Longden
Devizes—Wiltshire *v.* Strong
Bristol—Hitchings *v.* Mouch
,, Lush *v.* Russell
Dolgelly—Doe *d.* Jones *v.* Jones
Ruthin—Parry *v.* Thomas
Chester—Birkenhead, Lancashire, and Chester Junction Railway Co. *v.* Willes
Midd.—Chilcote *v.* Wadsworth
,, Towne *v.* Phillips
,, Simkins *v.* Pothecary
,, Pudney *v.* Eastern Counties Railway Co.

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before the Motions.

In re The Hammersmith Rent-charge Allotments
In re Coombs and Ternley
Higginbotham *v.* Waters
Taylor *v.* Dent
Miller *v.* De Burgh
Norrie *v.* Younghusband
Walker *v.* Furnell
Haley *v.* Pickering
M'Gregor *v.* Keiley.

SPECIAL PAPER.

Special Cases.

For Argument.

Mortimer *v.* Hartley
Norman v. Thompson
Spence *v.* Montague
Freeman *v.* Whittaker
Burch *v.* Mann
Carr *v.* Mostyn
Shield *v.* Wilkins
Dennistoun *v.* Young.

Demurrers.

For Argument.

Southby *v.* Bridgman (stayed by injunction)
Milvain *v.* Mather
Chapman *v.* Milvain.

London Gazettes.

TUESDAY, January 1.

BANKRUPTS.

EDWARD BELL, Lambeth-walk, Surrey, grocer, Jan. 8 at half-past 1, and Feb. 14 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Hill & Mathews, St. Mary Axe.—Petition dated Dec. 31.

ZACCHEUS STAFFORD, Nottingham, innkeeper, victualler, dealer and chapman, Jan. 11 at half-past 10, and Feb. 8 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Deverill, Nottingham.—Petition dated Dec. 24.

JOSEPH FISHER, Cleeve, Yatton, Somersetshire, money scrivener, dealer and chapman, Jan. 15 and Feb. 12 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Tanner, jun., Bristol.—Petition filed Dec. 28.

JOHN WILLIAMS, Newport, Monmouthshire, auctioneer, Jan. 15 and Feb. 12 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Protheroe & Co., Newport, Monmouthshire; Abbot, Bristol.—Petition filed Dec. 19.

WILLIAM PEARSON, Maryport, Cumberland, iron-founder, engineer, dealer and chapman, Jan. 10 at 11, and Feb. 14 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass, Wakley; Sols. Sale & Co., Manchester; Griffith & Crighton, Newcastle-upon-Tyne; Reed & Co., 59, Friday-street, Cheapside, London.—Petition filed Dec. 19.

Meetings.

James Andrewatha, Alverstoke, Hampshire, grocer, Jan. 12 at 2, Court of Bankruptcy, London, last ex.—*B. Ramsden*, Dewsbury, Yorkshire, bone merchant, Jan. 24 at 11, District Court of Bankruptcy, Leeds, last ex.—*Charles Roberts*, St. Helen's, Lancashire, corn factor, Jan. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Nuttall*, Manchester, grocer, Jan. 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Jonathan Hall*, Rotherhithe, Surrey, shipwright, Jan. 22 at 1, Court of Bankruptcy, London, div.—*Samuel Boss*, Frith-st., Soho, Middlesex, tailor, Jan. 24 at 1, Court of Bankruptcy, London, div.—*John B. Shouler*, Leicester, draper, Jan. 18 at 11, District Court of Bankruptcy, Nottingham, aud. ac.; Feb. 1 at 11, div.—*Geo. F. Knott*, Leicester, shoe manufacturer, Jan. 18 at 11, District Court of Bankruptcy, Nottingham, aud. ac.; Feb. 1 at 11, div.—*Joseph Ashworth*, Bury, Lancashire, gardener, Jan. 22 at 12, District Court of Bankruptcy, Manchester, div.

Certificates.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Lot Pulbrook, Cambridge-place, Hackney-road, Middlesex, grocer, Jan. 23 at half-past 11, Court of Bankruptcy, London.—*Jos. Hodgson*, Underbank, near Hebden-bridge, Halifax, Yorkshire, cotton spinner, Jan. 22 at 11, District Court of Bankruptcy, Leeds.—*William R. Allanson*, New Malton, Yorkshire, corn factor, Jan. 24 at 11, District Court of Bankruptcy, Leeds.—*A. O. Martin*, Leeds, Yorkshire, stationer, Jan. 24 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John A. Dow, Romford, Essex, linendraper.—*S. Martin*, Poole, and Porkstone, Dorsetshire, fish merchant.—*Francis Jenkinson*, Foubert's-place, Regent-street, Middlesex, baker.—*Fitzherbert Macqueen*, Houndsditch, London, rectifying distiller.—*Josiah Bindon*, Holne, Devonshire, cattle dealer.—*James Skinner* the younger, Bristol, linendraper.—*William Townley*, Bristol, slate merchant.—*Richard Caleb Sweet*, Birmingham, builder.—*Thomas Jones* the younger and *Thomas Oakes*, Kingswinford, Staffordshire, ironmasters.—*Thos. Francis*, Birmingham, nail manufacturer.—*Thomas Osborn*, Birmingham, swordmaker.

Scotch Sequestrations.

R. & M. Hetherington, Glasgow, file cutters.—*T. Whittet & Co.*, Perth, merchants.—*M'Farlane & M'Leod*, Paisley, manufacturers.—*G. & H. Stankie*, Edinburgh, cap manufacturers.

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INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Ayre, Liverpool, master mariner, Jan. 7 at 10, Liverpool District County Court, at Liverpool.—*Jas. Reynolds*, Birmingham, cabinet maker, Jan. 14 at 2, County Court of Warwickshire, at Birmingham.—*John Roden*, Birmingham, plumber, Jan. 14 at 2, County Court of Warwickshire, at Birmingham.—*John Thompson*, Middleham, Yorkshire, grocer, Jan. 17 at 10, County Court of Yorkshire, at Leyburn.—*E. Stanley*, Loscoe, Derbyshire, blacksmith, Jan. 17 at 10, County Court of Derbyshire, at Belper.—*Robert Riches*, Lakenham, Norwich, sawyer, Jan. 17 at 10, County Court of Norfolk, at Norwich.—*George Knigton*, Morton, Derbyshire, out of business, Jan. 17 at 10, County Court of Derbyshire, at Belper.—*George Morley*, Low Harrogate, Yorkshire, librarian to the Harrogate Mechanics' Institution, Jan. 24 at 10, County Court of Yorkshire, at Knaresbro'.—*N. Grove*, Thornbury, Gloucestershire, farmer, Jan. 25 at 11, County Court of Gloucestershire, at Thornbury.—*Alice Hailstone*, Leeds, Yorkshire, schoolmistress, Jan. 16 at 10, County Court of Yorkshire, at Leeds.—*Thomas Lloyd*, Bedwellty, Monmouthshire, tailor, Jan. 24 at 10, County Court of Monmouthshire, at Tredegar.—*Thomas Shelton*, Goulceby, Lincolnshire, wheelwright, Jan. 10 at 10, County Court of Lincolnshire, at Horncastle.—*Wm. Davis*, Exeter, grocer, Jan. 12 at 10, County Court of Devonshire, at Exeter.—*Wm. Annear*, Cardiff, Glamorganshire, beer-house keeper, Jan. 8 at 10, County Court of Glamorganshire, at Cardiff.—*Thos. Freem*, Tockington, Gloucestershire, carpenter, Jan. 25 at 11, County Court of Gloucestershire, at Thornbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 15 *at* 11, *before Mr. Commissioner* HARRIS.

Richard Pullen, Appleby-st., Kingsland-road, Middlesex, chair maker.—*Richard Buller*, Market-street, Edgware-road, Middlesex, coachsmith.—*Wm. Henry Shingles*, Lime-street, London, cornchandler.—*Robert Turner Lord*, Park-street, Camden-town, Middlesex, hairdresser.—*Robert Bryant*, Ironmonger-row, St, Luke's, Middlesex, carpenter.—*Joseph Dear*, Corbetstay, near Upminster, Essex, wheelwright.—*G. Mathew*, Buckley-st., Leman-st., Whitechapel, Middlesex, wheelwright.—*James Henderson Anderson*, Greenwood-street, Mile-end-road, Middlesex, out of employment.—*Ed. Jukes*, Enfield-road, Kingsland-road, Middlesex, librarian to the London Dock Company.

Jan. 16 *at* 11, *before the* CHIEF COMMISSIONER.

Francis Valentine Clapperton, Berwick-st., Soho, Middlesex, out of business.—*Thomas Astley*, Streatham-terrace, Liverpool-road, Islington, Middlesex, upholsterer.

Jan. 17 *at* 11, *before the* CHIEF COMMISSIONER.

Edward George Smith, Woolwich, Kent, shoemaker.

Saturday, Dec. 29.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Aldred, Harper-st., Newington, Surrey, corn dealer: in the Debtors Prison for London and Middlesex.—*George Fowler*, Douro-cottages, St. John's-wood, Middlesex, livery-stable keeper: in the Debtors Prison for London and Middlesex.—*John Hadkins*, Clarendon-square, Somers-town, Middlesex, milliner: in the Debtors Prison for London and Middlesex.—*Moses Harris*, Lower Marsh, Lambeth, Surrey, dealer in clothes: in the Gaol of Surrey.—*William Yeoman*, Great Hermitage-st., Wapping, Middlesex, stividore: in the Debtors Prison for London and Middlesex.—*Thomas Bray*, Drummond-st., Euston-square, Middlesex, proprietor of race-horses: in the Debtors Prison for London and Middlesex.—*George Crofts*, Cheyne-row, Chelsea, Middlesex, commission agent's assistant: in the Queen's Prison.—*John Benstead*, Sheerness, Kent, retailer of beer, and King's-row, St. John's, Southwark, out of business: in the Debtors Prison for London and Middlesex.—*Jean Etienne Alphonse de Lestre*, Salisbury-square, Fleet-st., London, in no trade: in the Debtors Prison for London and Middlesex.—*Wm. Odell*, Houghton Regis, Bedfordshire, whiting manufacturer: in the Debtors Prison for London and Middlesex.—*James Bennett Moxey*, Crown-st., Wyndham-road, Camberwell, Surrey, baker: in the Debtors Prison for London and Middlesex.—*George John Salter*, Church-street, Rotherhithe, Surrey, mariner: in the Debtors Prison for London and Middlesex.—*James Bradley*, Beresford-street, Walworth, Surrey, traveller to an iron-founder: in the Queen's Prison.—*John Harrison Allen*, Quadring-fen, Quadring, Lincolnshire, farmer: in the Gaol of Lincoln.—*Richard Bonser*, Sheffield, Yorkshire, corn miller: in York Castle.—*Wm. Harrison*, Otley, Yorkshire, saddler: in York Castle.—*Samuel May*, Ryde, Isle of Wight, Southampton, assistant linendraper: in the Gaol of Winchester.—*Robert Read* the younger, Newport, Isle of Wight, Southampton, tailor: in the Gaol of Winchester.—*Robert Tripp*, Exeter, stockbroker: in the Gaol of Exeter.—*John Barker*, Necton, Norfolk, shoemaker: in the Gaol of Norwich.—*Thomas Meanley*, Chester, grocer: in the Gaol of Chester.—*George Smith*, Kirton, near Woodbridge, Suffolk, blacksmith: in the Gaol of Ipswich.—*William Loker Seage*, South Molton, Devonshire, seedsman: in the Gaol of St. Thomas-the-Apostle.—*John Wilbraham*, Pilkington, near Bury, Lancashire, gingham manufacturer: in the Gaol of Lancaster.—*John Bowerman*, Witney, Oxfordshire, innkeeper: in the Gaol of Oxford.—*William Tennant*, Hook Norton, Oxfordshire, farmer: in the Gaol of Oxford.—*James Cook* the elder, Manningtree, Essex, eating-house keeper: in the Gaol of Ipswich.—*William Ackroyd*, Bradford, Yorkshire, shopkeeper: in the Gaol of York.—*Robert Goose*, Hempnall, Norfolk, labourer: in the Gaol of Norwich.—*Miles Wrigley*, Ashton-under-Lyne, Lancashire, architect: in the Gaol of Lancaster.—*Wm. Eastoue*, Upper Higham, near Rochester, Kent, market gardener: in the Gaol of Maidstone.—*Ernest Augustus Nelson Ross*, East Cowton, near Catterick, Yorkshire, pig jobber: in York Castle.—*John Senior*, Salford, Lancashire, tailor: in the Gaol of Lancaster.—*Benjamin Tetlow*, Ashton-under-Lyne, Lancashire, retail dealer in ale: in the Gaol of Lancaster.

(On Creditor's Petition).

William Broadhurst, Edwardstone, near Sudbury, Suffolk, one of the ushers of her Majesty's Court of Exchequer of Pleas at Westminster: in the Gaol of Ipswich.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 16 *at* 10, *before Mr. Commissioner* LAW.

William Chequer, Blackfriars-road, Surrey, saddler.—*R. Justice*, Portland-place, Clapham-road, Surrey, coal merchant.

Jan. 17 *at* 11, *before the* CHIEF COMMISSIONER.

James Thomas Reed, Coleshill-street, Pimlico, Middlesex, butcher.—*John Brown*, St. John-street, Clerkenwell, Middlesex, carpenter.—*John Martin*, West-green, Tottenham, Middlesex, husbandman.

Jan. 17 *at* 10, *before Mr. Commissioner* LAW.

John Hadkins, Clarendon-square, Somers-town, Middlesex, milliner.

Jan. 17 *at* 11, *before Mr. Commissioner* PHILLIPS.

Samuel Greenfield, St. Mary's-square, Lambeth, Surrey, commercial traveller.—*Isaac Detheridge*, Allsop-place, Regent's-park, Middlesex, dealer in milk.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, *Jan.* 18 *at* 10.

James Cook the elder, Manningtree, Essex, eating house keeper.—*George Smith*, Kirton, near Woodbridge, blacksmith.—*Alfred Freeman*, Ipswich, out of business.—*William Sawer*, Ipswich, chemist.

At the County Court of Norfolk, at the Guildhall at NORWICH, *Jan.* 17 *at* 10.

John Barker, Necton, shoemaker.—*Robert Goose*, Hempnall, labourer.

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At the County Court of Herefordshire, at HEREFORD, *Jan.* 17.

Richard Watkins, Ross, wine merchant.—*Thomas Gibbs*, Amberley, farmer.

FRIDAY, JANUARY 4.

BANKRUPTS.

HENRY EDWARD TUCK, New Cavendish-street, Marylebone, Middlesex, milliner, dealer and chapman, (trading under the style or firm of Blizard & Co.), Jan. 18 at 2, and Feb. 15 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Van Sandan & Cumming, 27, King-street, Cheapside.—Petition filed Jan. 2.

JOHN DIXON, Liverpool, grocer and tea dealer, dealer and chapman, Jan. 17 and Feb. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Neal & Martin, Liverpool.—Petition dated Jan. 2.

WILLIAM PAULING, Holyhead, Anglesea, hotel keeper, dealer and chapman, Jan. 21 and Feb. 11 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Morris, Chester.—Petition dated Dec. 31.

MEETINGS.

Edward Smallwood, Crigglestone, Sandal Magna, Yorkshire, schoolmaster, Jan. 15 at 11, Court of Bankruptcy, London, last ex.—*Thomas King* the elder, Orchard-place East, Greenwich, Kent, baker, Jan. 15 at 1, Court of Bankruptcy, London, last ex.—*James Davies*, Bromley, Middlesex, builder, Jan. 24 at 1, Court of Bankruptcy, London, last ex.—*Daniel Evans*, Merthyr Tydvil, Glamorganshire, carpenter, Jan. 30 at 11, District Court of Bankruptcy, Bristol, last ex.—*Daniel Haigh*, Linthwaite, Almondbury, Yorkshire, and *Joseph Haigh*, Slaithwaite, Huddersfield, cloth manufacturers, Jan. 25 at 11, District Court of Bankruptcy, Leeds, last ex.—*John Morrison*, Craven-street, Strand, Middlesex, tailor, Jan. 23 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Joseph F. Everett*, High Holborn, Middlesex, hydraulic engineer, Jan. 23 at 11, Court of Bankruptcy, London, aud. ac.—*Lot Pulbrook*, Cambridge-place, Hackney-road, Middlesex, grocer, Jan. 23 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Wm. Woods* and *Samuel Thomas*, Cheapside, London, wholesale hardwaremen, Jan. 23 at 12, Court of Bankruptcy, London, aud. ac.—*James Sparrow*, Oxford, draper, Jan. 29 at 11, Court of Bankruptcy, London, aud. ac.—*Daniel Slater*, Preston, near Uppingham, Rutlandshire, cabinet maker, Jan. 28 at half-past 11, Court of Bankruptcy, London, aud. ac.—*D. G. Foster*, St. John-square, Clerkenwell, Middlesex, ironmonger, Jan. 28 at 11, Court of Bankruptcy, London, aud. ac.; Jan. 29 at 1, div.—*J. Wilbraham*, Church-lane, Whitechapel, and Aldgate, Middlesex, builder, Jan. 17 at 11, Court of Bankruptcy, London, aud. ac.—*Jos. Ashworth*, Bury, Lancashire, gardener, Jan. 15 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Stockdale*, Liverpool, soap manufacturer, Jan. 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Wheelhouse*, York, banker, Jan. 14 at 12, District Court of Bankruptcy, Leeds, aud. ac.; Jan. 28 at 12, fin. div.—*William Thorpe*, Thorne, Yorkshire, scrivener, Jan. 21 at 12, District Court of Bankruptcy, Leeds, aud. ac.—*Peter Clarke* the younger, Colchester, Essex, pawnbroker, Jan. 28 at half-past 1, Court of Bankruptcy, London, div.—*Charles Butler*, Tunbridge Wells, Kent, ware manufacturer, Jan. 28 at 1, Court of Bankruptcy, London, div.—*John Wright*, Northampton, corn merchant, Jan. 28 at half-past 12, Court of Bankruptcy, London, div.—*William Remington*, *Rowland Stephenson*, *David Robert Remington*, and *Joseph Petty Toulmin*, Lombard-street, London, bankers, Jan. 25 at 12, Court of Bankruptcy, London, div.—*James Buckland*, Sloane-st., Chelsea, Middlesex, laceman, Jan. 25 at 12, Court of Bankruptcy, London, div.—*Joseph Hutchinson Hipwood*, Cornhill, London, merchant, Jan. 25 at 12, Court of Bankruptcy, London, fin. div.—*Norman Bruce*, Farringdon-st., London, printer, Jan. 25 at half-past 11, Court of Bankruptcy, London, div.—*Frederick True*, Downham Market, Norfolk, ironmonger, Jan. 25 at half-past 11, Court of Bankruptcy, London, div.—*Edward Benton*, Tottenham-court-road, Middlesex, pawnbroker, Jan. 25 at 12, Court of Bankruptcy, London, div.—*John Henderson*, Anderton's Hotel, Fleet-street, London, bookseller, Jan. 25 at 11, Court of Bankruptcy, London, div.—*Charles Roberts*, St. Helen's, Lancashire, corn factor, Jan, 28 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph Jackson*, Talwrn Esclashum above, near Wrexham, Denbighshire, farmer, Jan. 28 at 11, District Court of Bankruptcy, Liverpool, div.—*John Stockdale*, Liverpool, soap manufacturer, Jan. 29 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Ford, Colchester, Essex, ginger-beer manufacturer, Jan. 29 at 11, Court of Bankruptcy, London.—*George Boss*, Brighton, Sussex, postmaster, Jan. 29 at half-past 11, Court of Bankruptcy, London.—*George Rackham*, Southtown, Suffolk, wine merchant, Jan. 28 at 12, Court of Bankruptcy, London.—*Michael Neal Raynes*, Birkenhead, Cheshire, timber merchant, Jan. 25 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Gibb* the elder, Liverpool, commission agent, Jan. 28 at 11, District Court of Bankruptcy, Liverpool.—*John Moulton*, Hulme, Manchester, joiner, Jan. 28 at 12, District Court of Bankruptcy, Manchester.—*Daniel Slater*, Preston, near Uppingham, Rutlandshire, cabinet maker, Jan. 28 at half-past 11, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

George Newbold, Stoke-upon-Trent, Staffordshire, mercer.—*Samuel Charles Fripp*, Bristol, lodging-house keeper.—*Thomas Darck*, Bristol, hackney fly proprietor.—*John Ball*, Salcombe, Devonshire, ship builder.—*John Robinson*, Honley, Almondbury, Yorkshire, dyer.

PARTNERSHIPS DISSOLVED.

Henry Darvill and *Henry Geary*, New Windsor, Berkshire, attornies at law, solicitors in Chancery, and conveyancers, (under the style or firm of Darvill & Geary).—*Ed. Coxwell* and *Robert Harfield*, attornies and solicitors.—*Wm. F. Cook* and *John R. Jennings*, St. Swithin's-lane, London, attornies and solicitors.—*Joseph Dunning* and *Joseph Stowman*, Leeds, Yorkshire, attornies at law and solicitors.—*T. Cave Hall* and *James Gravener*, Deal and Sandwich, attornies and notaries.

SCOTCH SEQUESTRATIONS.

James Stephen, Sandyford, near Glasgow, miller.—*Thomas Barlow*, Glasgow, firework artist.—*Jas. Laurie*, Milliganton, Dumfries, cattle dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Hart, White's-hill, near Stroud, Gloucestershire, cloth dresser, Jan. 23 at 10, County Court of Gloucestershire, at Stroud.—*Edward Smith*, Norwich, grocer, Jan. 16 at 10, County Court of Norfolk, at Norwich.—*Ezekiel Edwards*, Madeley, Shropshire, licensed victualler, Jan. 19 at 10, County Court of Shropshire, at Madeley.—*Joseph W. Sice*, Solihull, Warwickshire, schoolmaster, Jan. 25 at 3, County Court of Warwickshire, at Solihull.—*Ebenezer Mitchison*, Newcastle-upon-Tyne, butcher, Jan. 23 at 10, County Court of Northumberland, at Newcastle.—*J. Davis*, Oakridge, Bisley, Gloucestershire, shopkeeper, Jan. 23 at 10, County Court of Gloucestershire, at Stroud.—*Robert Reynolds*, Much Wenlock, Shropshire, innkeeper, Jan. 19 at 10, County Court of Shropshire, at Madeley.—*John Berry*, Oldswinford, Staffordshire, shoemaker, Jan. 21 at 10, County Court of Worcestershire, at Stourbridge.—*Daniel Ecclestone*, Moxley, Darlaston, Staffordshire, brickmaker, Jan. 18 at 12, County Court of Staffordshire, at Walsall.—*J. Hortor*, Lyncombe and Widcombe, Bath, drawing master, Jan. 12 at 12, County Court of Somersetshire, at Bath.—*George Tucker*, Walcot, Bath, coach builder, Jan. 19 at 11, County Court of Somersetshire, at Bath.—*Joseph Sterling*, Newcastle-upon-Tyne, labourer, Jan. 23 at 10, County Court of Northumberland, at Newcastle.—*John Soulsby*, Newcastle-upon-Tyne, cattle dealer, Jan. 23 at 10, County Court of Northumberland, at Newcastle.—*Charles M. Mottram*, Bury St. Edmund's, Suffolk, out of business, Jan. 28 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Hunting Couzens*, North Pickenham, Norfolk, blacksmith, Jan. 14 at 12, County Court of Norfolk, at Swaffham.—*George Hitchcock*, Woodbridge, Suffolk, chemist, Jan. 24 at 1, County Court of Suffolk, at Woodbridge.—*J. Davy*, Halesworth, Suffolk, carpenter, Jan. 23 at 2, County Court of Suffolk, at Halesworth.—*J. Darby*, Hacheston, Suf-

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folk, grocer, Jan. 24 at 1, County Court of Suffolk, at Woodbridge.—*D. Bond*, Scole, Norfolk, carrier, Jan. 21 at 2, County Court of Suffolk, at Eye.—*John Morgan*, Builth, Breconshire, shopkeeper, Jan. 16 at 10, County Court of Breconshire, at Builth.—*C. Houghton*, Southampton, cutler, Feb. 1 at 10, County Court of Hampshire, at Southampton.—*Wm. Applin*, Southampton, baker, Jan. 15 at 10, County Court of Hampshire, at Southampton.—*Joel Gale*, Bury St. Edmund's, Suffolk, ironmonger, Jan. 28 at 10, County Court of Suffolk, at Bury St. Edmund's.—*George Chard*, Southampton, market gardener, Jan. 15 at 10, County Court of Hampshire, at Southampton.—*John Hawley*, Ecclesball, Staffordshire, farmer, Jan. 16 at 10, County Court of Staffordshire, at Stone.—*Susanna Seckham*, widow, Oxford, dealer in glass and china, Jan. 21 at 2, County Court of Oxfordshire, at Oxford.—*Edward Newbold*, Overseal, Leicester, innkeeper, Jan. 15 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*Elizabeth Smith*, Llwyncybren, Llandrindod, Radnorshire, farmer, Jan. 16 at 10, County Court of Breconshire, at Builth.—*Charles John James*, Newcastle-upon-Tyne, cabinet maker, Jan. 23 at 10, County Court of Northumberland, Newcastle.—*George Lakin*, Cheadle, Staffordshire, innkeeper, Jan. 17 at 11, County Court of Staffordshire, at Cheadle.—*William Taylor*, Winsor, New Forest, Eling, Southampton, cattle dealer, Jan. 15 at 10, County Court of Hampshire, at Southampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 19 *at* 11, *before Mr. Commissioner* PHILLIPS.

Joseph William Stevens, Corrugated-row, Grange-road, Bermondsey, Surrey, attorney's clerk.—*Henry Halsey*, Edgeware, Middlesex, cattle jobber.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 18 *at* 11, *before Mr. Commissioner* HARRIS.

Frederick Harland, Sangate-cottage, King Henry's-walk, Ball's-pond, Islington, Middlesex, plumber.—*Henry Dolby*, Quadrant, Regent-street, Middlesex, stationer.—*John Charles Kernot*, Palace New-road, Lambeth, Surrey, mariner.

Jan. 19 *at* 11, *before Mr. Commissioner* PHILLIPS.

Joseph William Woolley, Fenchurch-street, London, ironmonger.—*John Gray Wilson*, Upper Grafton-street, Fitzroy-square, gentleman.

Jan. 21 *at* 11, *before the* CHIEF COMMISSIONER.

Joseph Higgs, West-street, Green-street, Bethnal-green, Middlesex, builder.—*Stephen Geary*, Euston-place, Euston-square, Middlesex, architect.—*William Yeoman*, Great Hermitage-street, Wapping, Middlesex, rigger.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, *Jan.* 21 *at* 2.

William Tennant, Hooknorton, farmer.—*John Bowerman*, Witney, innkeeper.

At the County Court of Staffordshire, at STAFFORD, *Jan.* 22 *at* 10.

Gilbert Hogg, Wolverhampton, chief constable of Wolverhampton.—*The Rev. Christopher Dodsley*, Swinnerton, near Stone, clerk.

At the County Court of Pembrokeshire, at HAVERFORDWEST, *Jan.* 25 *at* 10.

Joseph Eynon, Laurenny, Cocheston, master mariner.

At the County Court of Lancashire, at LANCASTER, *Jan.* 18 *at* 11.

Edw. Lloyd, Liverpool, licensed victualler.—*John Robinson*, Habergham Eaves, near Burnley, farmer.—*Peter Gore*, Liverpool, out of employment.—*Isaac Royse*, Manchester, out of business.—*John Scott*, Clitheroe, out of business.—*William Jenkin Thomas*, Liverpool, extra tidewaiter.—*Wm. Howard Heginbottom*, Heaton Norris, near Manchester, bookkeeper.—*Miles Wrigley*, Ashton-under-Lyne, out of business.—*Charles Stott*, Moor Hey, near Oldham, cotton waste dealer.—*John Senior*, Salford, tailor.—*John Taylor*, Oldham, joiner.—*John Schofield*, Blackthorn Bacup, near Rochdale, provision-shop keeper.—*John Wilbraham*, Manchester, gingham manufacturer.—*Thomas Barrow*, Manchester, out of business.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following Gentlemen to be Masters Extraordinary in the High Court of Chancery:—John Cooke, of Abingdon, Berkshire; John Thompson Brewster, of Nottingham; Thomas Falconer Beilby, of Kingston-upon-Hull; William Ormond the younger, of Abingdon, Berkshire; John Holloway, of Thame, Oxfordshire.

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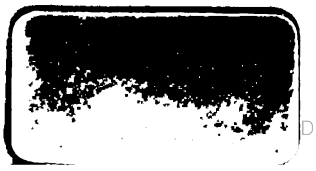
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